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PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by the Office of State Publishing.

TITLE 8. OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

NOTICE OF PUBLIC MEETING/PUBLIC HEARING/BUSINESS MEETING OF THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD AND NOTICE OF PROPOSED CHANGES TO TITLE 8 OF THE CALIFORNIA CODE OF REGULATIONS

Pursuant to Government Code Section 11346.4 and the provisions of Labor Code Sections 142.1, 142.2, 142.3, 142.4, and 144.6, the Occupational Safety and Health Standards Board of the State of California has set the time and place for a Public Meeting, Public Hearing, and Business Meeting:

PUBLIC MEETING: On **January 20, 2005**, at 10:00 a.m. in the Auditorium, Room 102 of the Office Building 9, 744 P Street, Sacramento, California 95814.

At the Public Meeting, the Board will make time available to receive comments or proposals from interested persons on any item concerning occupational safety and health.

PUBLIC HEARING: On **January 20, 2005**, following the Public Meeting in the Auditorium, Room 102 of the Office Building 9, 744 P Street, Sacramento, California 95814.

At the Public Hearing, the Board will consider the public testimony on the proposed changes to occupational safety and health standards in Title 8 of the California Code of Regulations.

BUSINESS MEETING: On **January 20, 2005**, following the Public Hearing in the Auditorium, Room 102 of the Office Building 9, 744 P Street, Sacramento, California 95814.

At the Business Meeting, the Board will conduct its monthly business.

The meeting facilities and restrooms are accessible to the physically disabled. Requests for accommodations for the disabled (assistive listening device, sign language interpreters, etc.) should be made to the Board office no later than 10 working days prior to the day of the meeting. If Paratransit services are needed, please contact the Paratransit office nearest you.

NOTICE OF PROPOSED CHANGES TO TITLE 8 OF THE CALIFORNIA CODE OF REGULATIONS BY THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Notice is hereby given pursuant to Government Code Section 11346.4 and Labor Code Sections 142.1, 142.4 and 144.5, that the Occupational Safety and Health Standards Board pursuant to the authority granted by Labor Code Section 142.3, and to implement Labor Code Section 142.3, will consider the following proposed revisions to Title 8, General Industry Safety Orders and Logging and Sawmill Safety Orders of the California Code of Regulations, as indicated below, at its Public Hearing on **January 20, 2005**.

1. **TITLE 8: GENERAL INDUSTRY SAFETY
ORDERS**
Chapter 4, Subchapter 7, Article 76
Section 4650(d)
**Compressed Gas (Oxygen) Cylinder
Storage**
2. **TITLE 8: LOGGING AND SAWMILL SAFETY
ORDERS**
Chapter 4, Subchapter 13, Article 1.5
Section 6251
**First Aid Requirements for Fixed
Sawmill Operations**

A description of the proposed changes are as follows:

1. **TITLE 8: GENERAL INDUSTRY SAFETY
ORDERS**
Chapter 4, Subchapter 7, Article 76
Section 4650(d)
**Compressed Gas (Oxygen) Cylinder
Storage**

INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW

Existing General Industry Safety Orders (GISO) section 4650(d) prohibits employers from storing oxygen cylinders near combustible materials or near any substance likely to accelerate fires. The intent of this standard is to prevent or minimize the risk of accelerating a fire (given oxygen's ability to enhance combustion) at a place of employment, which could increase the potential for explosion resulting in serious employee injuries, fatalities, or property damage. In

the January 16, 2003, Memorandum to the Board and attached Request for New or Amended Safety Order, the Division of Occupational Safety and Health (Division) notes that the existing section 4650(d) does not specify a minimum separation distance or warn specially against storing oxygen cylinders near fuel gas cylinders, a fire and explosion hazard. The lack of specificity raises the issue of what is meant by storing oxygen cylinders "near" combustible materials and what constitutes sufficient separation from combustible materials (e.g., oil, grease). The Division notes that Construction Safety Orders (CSO) section 1740(g) regarding the storage of oxygen cylinders addresses this issue in greater detail, and is practically verbatim of federal OSHA standards in 29CFR 1926.350(a) and 1910.253(b)(4)(iii). The federal standards are based upon national consensus standards National Fire Protection Association (NFPA) 51-7-1997 and Compressed Gas Association (CGA) Pamphlet P-1-1984, which are industry standards. Board staff also notes that the California Fire Code stipulates a minimum 20-foot separation distance for incompatible materials.

Consequently, as recommended by the Division, Board staff proposes to amend GISO section 4650(d) to read verbatim of CSO section 1740(g) rendering it consistent with the federal standards and industry-accepted national consensus standards.

The following actions are proposed:

Section 4650. Storage, Handling, and Use of Cylinders.

This section contains various requirements pertaining to cylinder storage, ventilation of cylinders, separation of oxygen cylinders from materials that could combust or act as a fire accelerant, transporting cylinders, use of valve protection devices, use of regulators, etc.

Subsection (d) prohibits employers from storing oxygen cylinders near combustible materials or any substance that is likely to accelerate fires. A revision is proposed to amend subsection (d) to clarify that oxygen cylinders are to be separated from fuel gas cylinders (e.g., propane, butane, methane) by a minimum distance of 20 feet or a half-hour, fire resistive barrier at least 5 feet high.

The proposal will require employers to evaluate their oxygen storage situation; and when necessary, either reposition their oxygen storage to meet the minimum 20-foot separation or provide a 5-foot high, half-hour rated fire resistive barrier.

COST ESTIMATES OF PROPOSED ACTION

Costs or Savings to State Agencies

No costs or savings to state agencies will result as a consequence of the proposed action.

Impact on Housing Costs

The Board has made an initial determination that this proposal will not significantly affect housing costs.

Impact on Businesses

The Board has made an initial determination that this proposal will not result in a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

Cost Impact on Private Persons or Businesses

The Board is not aware of any cost impact that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Costs or Savings in Federal Funding to the State

The proposal will not result in costs or savings in federal funding to the state.

Costs or Savings to Local Agencies or School Districts Required to be Reimbursed

No costs to local agencies or school districts are required to be reimbursed. See explanation under "Determination of Mandate."

Other Nondiscretionary Costs or Savings Imposed on Local Agencies

This proposal does not impose nondiscretionary costs or savings on local agencies.

DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed standard does not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendment will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore the proposed standard does not constitute a "new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution."

The California Supreme Court has established that a "program" within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (*County of Los Angeles v. State of California* (1987) 43 Cal.3d 46.)

This proposed standard does not require local agencies to carry out the governmental function of providing services to the public. Rather, the standard requires local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, the proposed standard does not in any way

require local agencies to administer the California Occupational Safety and Health program. (See *City of Anaheim v. State of California* (1987) 189 Cal.App.3d 1478.)

The proposed standard does not impose unique requirements on local governments. All state, local and private employers will be required to comply with the prescribed standard.

EFFECT ON SMALL BUSINESSES

The Board has determined that the proposed amendment may affect small businesses. However, no economic impact is anticipated.

ASSESSMENT

The adoption of the proposed amendment to this standard will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

REASONABLE ALTERNATIVES CONSIDERED

Our Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

2. TITLE 8: LOGGING AND SAWMILL SAFETY ORDERS

Chapter 4, Subchapter 13, Article 1.5
Section 6251

First Aid Requirements for Fixed Sawmill Operations

INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW

On January 22, 2002, the Occupational Safety and Health Standards Board (Board) received a Form 9, Request for New or Change in Existing Safety Orders, from the Division of Occupational Safety and Health (Division) requesting that Logging and Sawmill Safety Orders (LSSO) Section 6251(d)(1) be amended to clarify first aid requirements for fixed sawmill operations.

The Division expressed concern over the meaning of the term "proximity" as used in the "Note" to Section 6251(d)(1). It refers to a 15-minute response time whereby first aid is to be provided to employees who require such treatment. The Division believes that a 15-minute response time is too long for the sawmill employee to have to wait before effective, life saving first aid and/or cardiopulmonary resuscitation (CPR) is provided. The Division also noted that the prescribed

15-minute response time is inconsistent with Federal OSHA interpretations on what is considered an effective response time.

In a February 9, 1994 Interpretation Letter, Federal OSHA clarified that the term "in near proximity" in 29 Code of Federal Regulations (CFR) 1910.151(b) means that in areas where accidents resulting in suffocation, severe bleeding, or other life threatening or permanently disabling injury or illness can be expected, a 3 to 4 minute response time, from the time of injury to the time of administering first aid, is required. In other circumstances, i.e., where a life-threatening or permanently disabling injury is an unlikely outcome of an accident, a longer response time such as 15 minutes is acceptable. Moreover, where first aid treatment cannot be administered to injured employees by outside professionals within the required response time for the expected types of injuries, a person or persons within the facility shall be adequately trained to render first aid.

In a subsequent Federal Letter of Interpretation, dated April 18, 2002, Federal OSHA responded to an inquiry regarding whether or not an employer can use the "near proximity" interpretation to determine the quantity and location for first-aid supplies. Federal OSHA stated that the 3-4 minute (life threatening) and the 15-minute (non-life-threatening) time frames apply to response and start times to administer first aid, dependent on the severity of the injury. As an employer would not know in advance whether a life-threatening injury would occur, an employer should not use the 15-minute (non-life-threatening) time frame for providing first aid treatment; however, the 3-4 minute (life-threatening) time frame would be acceptable.

The Division provided their own interpretation of "near proximity," given inquiries regarding General Industry Safety Orders Section 3400, Medical Services and First Aid. In an April 17, 1992, letter addressed to Ms. Catherine Hayes of the American Red Cross, the Division stated that "proximity" can be understood in terms of either the distance between the workplace and the hospital, infirmary, etc., or the duration of time needed to traverse the distance between the workplace and the infirmary, clinic or hospital. The Division stated that based on its evaluation of the medical literature, a reasonable interpretation of "near proximity" would be emergency medical care administered within four minutes. The Division made it clear that the intent of Section 3400(a) is to provide timely administration of first aid when needed, regardless of how one defines "proximity."

A second letter from the Division, dated April 25, 1996, affirmed the intent of the medical services/first aid standard in Section 3400, and further clarified that

current medical literature indicates that following a cardiopulmonary event, such as a heart attack or cardiac arrest, victims who receive basic CPR within four minutes have a much better chance of surviving.

Clearly, sawmill operations that primarily involve the processing of logs into lumber, and which involve debarking, stripping, sawing, and cutting of logs, have the potential to cause the severe bleeding, life-threatening, or permanently disabling injuries as described above in the federal response. The American Heart Association has published, via the Internet, response guidelines, entitled "Chain of Survival-Timing Is Everything," that were developed in 1990 to give responders an idea of how critical it is to render immediate assistance to sudden cardiac arrest victims. The tables specified therein indicate that with every minute that goes by without treatment, survival chances diminish by 7–10%.

Consequently, Board staff concurs with the Division that the currently prescribed 15-minute first aid/CPR response timeframe as contained in the "Note" to LSSO Section 6251(d)(1), and which would not require the employer to have First Aid/CPR-trained employees onsite to render assistance if emergency services were available within 15 minutes of the sawmill, is inconsistent with current medical knowledge, and federal/state interpretations, and should be amended. In the absence of an on-site infirmary, hospital, clinic, etc., the most practical way for an employer to meet a 3–4 minute response time is to have trained, on-site employees readily available to render assistance.

Section 6251(d):

Existing Section 6251(d)(1) specifies that at fixed sawmills where there are no emergency medical services in proximity to the workplace, the employer shall ensure that there are persons who are certified in first aid/CPR and readily accessible to render emergency assistance. The section also states that the standards for first aid and CPR training shall be in accordance with the principles of the American Heart Association, the American Red Cross or other nationally recognized agency, and contains an informative "Note" which defines "proximity" as used in subsection (d) to mean providing emergency medical services to employees in need within 15 minutes.

A revision is proposed to amend the first sentence of the subsection from "First-aid training shall be provided as follows:" to "First-aid and cardiopulmonary resuscitation (CPR) training shall be provided as follows." Additional amendments are proposed to delete a portion of the current text pertaining to emergency medical services (i.e. hospitals, infirmaries, etc.), and the accessibility of persons trained in first aid/CPR, as well as the "Note" which defines the

term "proximity." It is proposed to replace this text with language requiring that employers maintain readily available (on-site) personnel, including persons in charge of the work being done and as many employees as necessary, certified to render first aid and CPR in order to ensure a timely response for medical emergencies.

The proposed performance-based revisions would require the employer to have trained/certified first aid/CPR personnel on site and in sufficient numbers so as to provide timely medical response to injured employees. The proposed revision to the subsection title is for clarification purposes, and to ensure consistency with the contents of subsection (d).

The proposed amendments will have no effect other than to ensure that a sufficient number of personnel certified to administer first aid and cardiopulmonary resuscitation are present at a work site in order to provide an immediate medical response to injured employees, consistent with current medical literature, industry practice, and federal counterpart standards.

COST ESTIMATES OF PROPOSED ACTION

Costs or Savings to State Agencies

No costs or savings to state agencies will result as a consequence of the proposed action. Board staff has not identified any State owned or operated fixed sawmills; consequently, the proposed rulemaking action will have no effect upon state agencies.

Impact on Housing Costs

The Board has made an initial determination that this proposal will not significantly affect housing costs.

Impact on Businesses

The Board has made an initial determination that this proposal will not result in a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. Fixed sawmill operations in California who do not have onsite medical services, such as an infirmary or clinic, have for the most part, been training both supervisory and non supervisory employees on-site in first aid and CPR to give the employer the ability to render first aid and CPR within the 3–4 minutes following a medical emergency. Consequently, the Board staff believes the proposal is entirely consistent with current industry practice in this area and should not result in significant adverse economic impact on businesses in California who operate fixed sawmills.

Cost Impact on Private Persons or Businesses

The Board is not aware of any cost impact that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Costs or Savings in Federal Funding to the State

The proposal will not result in costs or savings in federal funding to the state.

Costs or Savings to Local Agencies or School Districts Required to be Reimbursed

No costs to local agencies or school districts are required to be reimbursed. See explanation under "Determination of Mandate."

Other Nondiscretionary Costs or Savings Imposed on Local Agencies

This proposal does not impose nondiscretionary costs or savings on local agencies.

DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed standard does not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendments will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, the standard does not constitute a "new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution."

The California Supreme Court has established that a "program" within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (*County of Los Angeles v. State of California* (1987) 43 Cal.3d 46.)

The proposed standard does not require local agencies to carry out the governmental function of providing services to the public. Rather, the standard requires local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, the proposed standard does not in any way require local agencies to administer the California Occupational Safety and Health program. (See *City of Anaheim v. State of California* (1987) 189 Cal.App.3d 1478.)

The proposed standard does not impose unique requirements on local governments. All state, local and private employers who perform agricultural operations will be required to comply with the prescribed standard.

EFFECT ON SMALL BUSINESSES

The Board has determined that the proposed amendments may affect small businesses. However, no significant adverse economic impact is anticipated.

ASSESSMENT

The adoption of the proposed amendments to this standard will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

REASONABLE ALTERNATIVES CONSIDERED

Our Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

A copy of the proposed changes in STRIKEOUT/ UNDERLINE format is available upon request made to the Occupational Safety and Health Standard Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833, (916) 274-5721. Copies will also be available at the Public Hearing.

An INITIAL STATEMENT OF REASONS containing a statement of the purpose and factual basis for the proposed actions, identification of the technical documents relied upon, and a description of any identified alternatives has been prepared and is available upon request from the Standards Board's Office.

Notice is also given that any interested person may present statements or arguments orally or in writing at the hearing on the proposed changes under consideration. It is requested, but not required, that written comments be submitted so that they are received no later than January 14, 2005. The official record of the rulemaking proceedings will be closed at the conclusion of the public hearing and written comments received after 5:00 p.m. on January 20, 2005, will not be considered by the Board unless the Board announces an extension of time in which to submit written comments. Written comments should be mailed to the address provided below or submitted by fax at (916) 274-5743 or e-mailed at oshsb@hq.dir.ca.gov. The Occupational Safety and Health Standards Board may thereafter adopt the above proposal substantially as set forth without further notice.

The Occupational Safety and Health Standards Board's rulemaking file on the proposed actions including all the information upon which the proposals are based are open to public inspection Monday through Friday, from 8:30 a.m. to 4:30 p.m. at the Standards Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833.

The full text of proposed changes, including any changes or modifications that may be made as a result of the public hearing, shall be available from the

Executive Officer 15 days prior to the date on which the Standards Board adopts the proposed changes.

Inquiries concerning either the proposed administrative action or the substance of the proposed changes may be directed to Keith Umemoto, Executive Officer, or Michael Manieri, Principal Safety Engineer, at (916) 274-5721.

You can access the Board's notice and other materials associated with this proposal on the Standards Board's homepage/website address which is <http://www.dir.ca.gov/oshsb>. Once the Final Statement of Reasons is prepared, it may be obtained by accessing the Board's website or by calling the telephone number listed above.

TITLE 11. DIVISION OF GAMBLING CONTROL

NOTICE OF PROPOSED RULEMAKING

"Definitions; Schedule of Investigation and Processing Costs; Required Forms; and Operation of Gambling Establishments"

The California Division of Gambling Control (Division) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Division proposes to amend sections 2010 and 2050, and to adopt sections 2037 and 2038 of Title 11 of the California Code of Regulations (CCR), concerning definitions, licensure qualifications and requirements, and operation of gambling establishments. These regulations were adopted on an emergency basis in June 2004 and again in October 2004. This rulemaking action will make these changes permanent.

PUBLIC HEARING

The Division will hold a public hearing starting at 10:00 am on Thursday, January 20, 2005, at 2399 Gateway Oaks Drive, Suite 100, Sacramento, CA 95833. The room is wheelchair accessible. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. The Division requests but does not require that persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Division at any time during the 45-day public comment period. To be

considered for summary and response, all written comments must be received no later than 5:00 p.m., January 20, 2005.

Written comments for the Division's consideration should be directed to:

Dolly A. Jones, Licensing Regulations Coordinator
California Division of Gambling Control
1425 River Park Drive, Ste. 400
Sacramento, CA 95815
Telephone: (916) 263-1410
E-mail: dolly.jones@doj.ca.gov
FAX: (916) 263-5572

AUTHORITY AND REFERENCE

Authority for the proposed regulations is provided by various provisions of the Gambling Control Act, which may be found in Business and Professions (B & P) Code sections 19800 et seq. In particular, B & P Code sections 19810, 19822, 19826, 19827, 19840, 19841, 19850, 19910, and 19984.

The proposed regulations implement, interpret, or make specific following reference citations: B & P Code sections 19805, 19827, 19851, 19853, 19854, 19867, 19880, 19890, 19950, 19951, and 19984.

INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

Definitions—Section 2010

The term "gaming activity" has not been previously defined by the Division and is used within these regulations. Addition of this definition in section 2010 will ensure an understanding of the term by the general public and applicants.

Title 4, CCR, Section 12400, which became effective in September 2004, defined a "Group I, Group II, and Group III licensee". Division regulation 2010 contained a different definition of these terms. The Division deleted these definitions from section 2010 to eliminate inconsistency.

Applicant Investigation and Processing Costs—Section 2037

The objectives of the regulation are as follows: (1) inform applicants of the anticipated costs associated with the investigation to allow applicants to determine if it is economically feasible to apply for a license, finding of suitability, or approval, and (2) obtain sufficient fees and deposits from applicants to pay anticipated costs and charges to conduct the mandated review or investigation.

Existing law requires persons applying for a license, game review, and persons seeking approval of or an amendment to a contract to provide proposition player services to a gambling establishment to submit a deposit of a sum of money that, in the judgment of the Division Director, will be adequate to pay the

anticipated costs and charges incurred by the Division to conduct the mandated review or investigation. The Division has been assessing these deposits on an ad hoc basis and refunding any excess deposits collected. The adoption of these regulations is to create consistency, in accordance with the Administrative Procedure Act, and establish a Division Schedule of Investigation and Processing Costs.

Division Required Forms—Section 2038

The objective of this regulation is to implement and make specific the Division's required forms. This section identifies the forms to be completed by an applicant to request Division approval of games and gaming activities.

Operation of Gambling Establishments—Section 2050

The California Gambling Control Commission adopted regulations in September of 2004 concerning Accounting and Financial Reporting, Title 4, CCR, Chapter 7, Article 4, Section 12400 which defined a "Group I, Group II, and Group III licensee". The Division deleted these definitions from section 2010 and deleted the reference to "Group III" in section 2050 to eliminate any confusion for gambling establishment licensees.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts:

These regulations do not impose a mandate on local agencies or school districts.

Cost or savings to any state agency: None.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code section 17561: None.

Other non-discretionary cost or savings imposed upon local agencies: None.

Cost or savings in federal funding to the state: None.

Cost impact on representative private person or business: Pursuant to B & P Code sections 19867 and 19984 applicants for a license, finding of suitability, or approval will be required to submit a background investigation deposit as prescribed by the Division's Schedule of Investigation and Processing Costs (section 2037).

Impact on Business: The Division has made an initial determination that the proposed regulatory changes will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Significant effect on housing costs: None.

Effect on small business: This regulation may affect small business.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Division must determine that no reasonable alternative considered by the Division or that has otherwise been identified and brought to the attention of the Division would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The Division invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

ASSESSMENT REGARDING CREATION OR ELIMINATION OF JOBS IN CALIFORNIA

The Division has made an assessment and determined that the adoption of the proposed regulation will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

CONTACT PERSONS

Inquiries concerning the substance of the proposed action should be directed to:

Dolly A. Jones, Licensing Regulations Coordinator
California Division of Gambling Control
1425 River Park Drive, Ste. 400
Sacramento, CA 95815
Telephone: (916) 263-1410
E-mail: dolly.jones@doj.ca.gov
FAX: (916) 263-5572

Requests for a copy of the proposed text of the regulation, the initial statement of reasons, the modified text of the regulation, if any, or other technical information upon which the rulemaking is based should be directed to:

Terri Sue Canale, Division Regulations Coordinator
California Division of Gambling Control
1425 River Park Drive, Ste. 400
Sacramento, CA 95815
Telephone: (916) 263-0372
E-mail: terrisue.canale@doj.ca.gov
FAX: (916) 263-0928

Or:

Dolly A. Jones, Licensing Regulations Coordinator
Telephone: (916) 263-1410
E-mail: dolly.jones@doj.ca.gov
FAX: (916) 263-5572

**AVAILABILITY OF STATEMENT OF REASONS
AND TEXT OF PROPOSED REGULATIONS**

The Division Regulations Coordinator will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at the office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, and the Initial Statement of Reasons. A copy may be obtained by contacting the Division Regulations Coordinator at the address or telephone number listed above or by accessing the Division's website at <http://caag.state.ca.us/gambling/index.htm>. Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the Division Regulations Coordinator or viewed on the website.

**AVAILABILITY OF CHANGED
OR MODIFIED TEXT**

Following receipt of public comment, the Division may adopt the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text, with changes clearly indicated, will be made available to the public for at least 15 days prior to the date on which the Division adopts the regulation. Requests for copies of any modified regulation should be sent to the attention of the Division Regulations Coordinator at the address indicated above. The Division will accept written comments on the modified regulation for 15 days after the date on which it is made available.

**TITLE 16. BOARD FOR
PROFESSIONAL ENGINEERS
AND LAND SURVEYORS**

NOTICE IS HEREBY GIVEN that the Board for Professional Engineers and Land Surveyors ("Board") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments in writing relevant to the action proposed. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on January 17, 2005.

The Board does not intend to hold a hearing on this matter. If any interested party wishes that a hearing be held, he or she must make such a request in writing to the Board. The written request for such hearing must be sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice and must be received 15 days prior to the close of the written comment period.

With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by and to implement, interpret, and make specific Sections 6716, 6751.5 and 6753 of the Business and Professions Code, the Board is considering changes to Division 5 of Title 16 of the California Code of Regulations as follows:

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

An applicant for licensure as a professional engineer must have six years of experience (either six years of work experience or a combination of work experience and education) in order to become licensed.

Currently an applicant for licensure receives four years of experience credit for an undergraduate degree from an ABET approved curriculum. An applicant with an undergraduate degree from a non-ABET approved curriculum receives two years of experience credit. In addition, an applicant with a post-graduate degree receives one year of experience credit, regardless of whether his or her undergraduate degree is from an ABET approved curriculum or not.

This regulation amendment would grant applicants 5 years of experience credit when a post-graduate degree is completed in an engineering curriculum where either the under-graduate curriculum or the post-graduate curriculum is ABET-approved.

In addition, this regulation amendment would define Approved Engineering Curriculum, Approved Engineering Technology Curriculum, Approved Post-Graduate Engineering Curriculum, Approved Cooperative Work-Study Engineering Curriculum, and Non-approved Engineering Curriculum. This regulation change would also repeal Section 460 as it becomes duplicative language regarding engineering curriculum.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact: The Board has made an initial determination that this action will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses: The Board has assessed that this action will not affect the creation or elimination of jobs, the creation or elimination of existing businesses, or the expansion of businesses in California.

Cost Impact on Representative Private Person or Business: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

While the Board does not license businesses, but only individuals, some of its licensees do offer their professional services through business entities, some of which may be classified as small businesses. So while the proposed action may affect some small businesses, it will not have a negative impact.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Board for Professional Engineers and Land Surveyors at 2535 Capitol Oaks Drive, Suite 300, Sacramento, California 95833.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Cindy Fernandez
Address: 2535 Capitol Oaks Drive, Suite 300
Sacramento, CA 95833
Telephone No.: (916) 263-2274
Fax No.: (916) 263-2221
E-Mail Address: cindy_fernandez@dca.ca.gov

The backup contact person is:

Name: Cindi Christenson
Address: 2535 Capitol Oaks Drive, Suite 300
Sacramento, CA 95833
Telephone No.: (916) 263-2230
Fax No.: (916) 263-2221
E-Mail Address: cindi_christenson@dca.ca.gov

WEBSITE ACCESS

Materials regarding this proposal can be found at www.dca.ca.gov/pels.

TITLE 16. BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

NOTICE IS HEREBY GIVEN that the Board for Professional Engineers and Land Surveyors ("Board") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on January 17, 2005.

The Board does not intend to hold a hearing on this matter. If any interested party wishes that a hearing be held, he or she must make such a request in writing to the Board. The written request for such a hearing must be sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice and must be received by the Board at its office no later than 5:00 p.m. on January 2, 2005.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposal if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for

15 days prior to its adoption from the person designated in this Notice under Contact Person and will be mailed to those persons who submit written statements or arguments related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Sections 482, 6716, and 8710 of the Business and Professions Code, and to implement, interpret or make specific Sections 480, 481, 482, 490, 6706.3, 6710, 6732, 6775, 6775.1, 6777, 6779, 8780, 8780.1, 8783, and 8784 of said Code, the Board is considering changes to Division 5 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Board proposes to amend Section 418 of Division 5 of Title 16 of the California Code of Regulations to provide more specific criteria for rehabilitation that the Board must evaluate when considering a petition for reinstatement of a revoked license.

Existing law describes the criteria for rehabilitation that the Board must evaluate when considering the denial of a license or the revocation/suspension of a license based on a criminal conviction. Existing law also describes the criteria to be evaluated by the Board when considering a petition for reinstatement of a revoked license; however, existing law simply refers to the same criteria that must be evaluated when considering the revocation/suspension of a license based on a criminal conviction. The majority of the cases in which the Board orders revocation are not based on a criminal conviction; therefore, the current criteria for rehabilitation specified in the regulation for reinstatement cases is rarely appropriate in most of those cases. This proposal would codify the Board's existing policies regarding the evidence of rehabilitation that the Board evaluates when considering the reinstatement of a revoked license. The amendments will provide more specific criteria to be evaluated in reinstatement cases; the proposed criteria would be more closely related to practice issues, rather than just based on criminal convictions, because the majority of cases in which revocation is ordered deal with practice-related issues.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: NONE

Nondiscretionary Costs/Savings to Local Agencies: NONE

Local Mandate: NONE

Cost to Any Local Agency or School District for Which Government Code Sections 17500 through 17630 Requires Reimbursement: NONE

Business Impact: The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The following studies/relevant data were relied upon in making the above determination:

The proposed amendments specify the evidence of rehabilitation that the Board must evaluate in considering the reinstatement of a revoked license. Since the only individuals these amendments would apply to would be people whose licenses had already been revoked for violations of the law, they could not legally be operating an engineering or land surveying business in California.

Impact on Jobs/New Businesses: The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: NONE

EFFECT ON SMALL BUSINESS

While the Board does not license businesses, but only individuals, some of its licensees do offer their professional services through business entities, some of which may be classified as small businesses. This proposed amendment will not have a negative impact on small businesses.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments in writing relevant to the above determinations. Such statements or arguments must be sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice and must be received by the Board at its office no later than 5:00 p.m. on January 17, 2005.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based. Copies of the initial statement of reasons and all of the information upon which the proposal is based may be obtained upon request from the person designated in this Notice under Contact Person. The initial statement of reasons may also be obtained by accessing the website listed below.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations may be obtained upon request from the person designated in this Notice under Contact Person or by accessing the website listed below.

AVAILABILITY AND LOCATION OF THE RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person designated in this Notice under Contact Person.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

You may obtain a copy of the final statement of reasons once it has been prepared by making a written request to the contact person designated in this Notice under Contact Person or by accessing the website listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed administrative action and the substance of the proposed rulemaking may be addressed to:

Name: Nancy A. Eissler
Address: Board for Professional Engineers
and Land Surveyors
2535 Capitol Oaks Drive, Suite 300
Sacramento, California, 95833
Telephone No.: (916) 263-2241
Fax No.: (916) 263-0899
E-Mail Address: Nancy_Eissler@dca.ca.gov

The backup contact person is:

Name: Sally Strubinger
Address: Board for Professional Engineers
and Land Surveyors
2535 Capitol Oaks Drive, Suite 300
Sacramento, California, 95833
Telephone No.: (916) 263-2251
Fax No.: (916) 263-0899
E-Mail Address: Sally_Strubinger@dca.ca.gov

WEBSITE ACCESS

The Notice, exact language of the proposed regulations, the initial statement of reasons, and the final statement of reasons (when prepared) can be found at www.dca.ca.gov/pels.

TITLE 16. BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

NOTICE IS HEREBY GIVEN that the Board for Professional Engineers and Land Surveyors ("Board") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments in writing relevant to the action proposed. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on January 17, 2005.

The Board does not intend to hold a hearing on this matter. If any interested party wishes that a hearing be held, he or she must make such a request in writing to the Board. The written request for such hearing must be sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice and must be received 15 days prior to the close of the written comment period.

With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by and to implement, interpret, and make specific Sections 6716 and 8710, Business and Professions Code. Reference: Sections 6754 and 8745, Business and Professions Code, the Board is considering changes to Division 5 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Current law provides that design type problems may be reviewed and appealed. The examinations that have design type problems are the state specific geotechnical and structural engineering examinations as well as the state specific land surveyor examination.

Effective with the October 2004 examination cycle, the Board offered the NCEES SEII examination which is a design type examination. However, it is non-appealable per NCEES because the examinations are scored by more than one grader and since the items are

banked the NCEES feels that exposure of exam items through the appeal process may lead to a compromise or breach of the exam. The SEII examination is the only examination offered by NCEES which has design type problems. As a result, the regulations need to be amended to reflect this change.

Current law allows 8 hours to review. The period of review is changed from 8 hours to 4 hours because that reflects the current length of time offered for the essay portion of each examination. As a result, the regulations need to be amended to reflect this change.

Current law has a 15% appeal range. Based on recommendations by the psychometricians regarding the scoring range in which people can appeal the appeal range would be changed to 5%. As a result, the regulations need to be amended to reflect this change.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact: The Board has made an initial determination that this action will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses: The Board has assessed that this action will not affect the creation or elimination of jobs, the creation or elimination of existing businesses, or the expansion of businesses in California.

Cost Impact on Representative Private Person or Business: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

While the Board does not license businesses, but only individuals, some of its licensees do offer their professional services through business entities, some of which may be classified as small businesses. So while the proposed action may affect some small businesses, it will not have a negative impact.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative is considered or that has otherwise been identified and brought to its attention would be more

effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Board for Professional Engineers and Land Surveyors at 2535 Capitol Oaks Drive, Suite 300, Sacramento, California 95833.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Cindy Fernandez
Address: 2535 Capitol Oaks Drive, Suite 300
Sacramento, CA 95833
Telephone No.: (916) 263-2274
Fax No.: (916) 263-2221
E-Mail Address: cindy_fernandez@dca.ca.gov

The backup contact person is:

Name: Cindi Christenson
Address: 2535 Capitol Oaks Drive, Suite 300
Sacramento, CA 95833
Telephone No.: (916) 263-2230
Fax No.: (916) 263-2221
E-Mail Address: cindi_christenson@dca.ca.gov

WEBSITE ACCESS

Materials regarding this proposal can be found at www.dca.ca.gov/pels.

TITLE 16. VETERINARY MEDICAL BOARD

NOTICE IS HEREBY GIVEN that the Veterinary Medical Board (hereinafter "board") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at University of California at Davis, Ken Maddy Conference Room, West Health Science Drive, Davis, CA 95616 at 1:00 p.m. on Thursday, January 20, 2005. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the board at its office not later than 5:00 p.m. on January 17, 2005, or must be received by the board at the hearing.

The board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY & REFERENCE

Pursuant to the authority vested by Section 4808 of the Business and Professions Code, and to implement, interpret or make specific Sections 4846.5, of said Code, the board is considering changes to Division 20 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law authorizes the Veterinary Medical Board to review a waiver requesting an exemption from the continuing education requirements necessary for veterinary license renewal. This regulatory proposal will amend those regulations related to the review process and criteria necessary to qualify for such exemption. This regulatory proposal will require additional documentation to be submitted with the waiver request and extend the time frame for the board to review and make a decision on the request. The proposal will change the requirements licensee's must meet to qualify for a waiver and add the authority to deny the waiver based on consumer and animal protection issues and authorize the board to use information from the request for further disciplinary action when necessary.

1. Amend Section 2085.2.

Business and Professions Code Section 4846.5 requires that veterinarians renewing a veterinary license complete 36 hours of approved CE. Subsection (h) authorizes the board to exempt a veterinarian from the CE requirement, if they meet criteria as established by the Board. California Code of Regulations section 2085.2 makes specific the requirements for CE waiver approval. Since the implementation of this requirement in 2002, the Board's review of multiple waivers has revealed a need to clarify and amend the waiver requirements. the Board is modifying the regulation to make it clearer and more concise for the Board and for licensees.

Section 2085.2 (a)

Existing regulations do not require enough information nor give sufficient review time for a determination to be made on a CE waiver request. This proposed amendment would update the waiver request form needed by licensees to request a continuing education (CE) waiver. The form date would change from 11/1/01 to 10/04 and reflect the additional information as outlined in this proposal. The proposed change includes requiring a letter to be submitted with the waiver giving an explanation of the reason for the request. The proposal extends the Board review time from 30 to 75 working days to make a determination on the waiver.

Section 2085.2 (c)(2)

Existing regulations allow a waiver to be approved if a licensee is either prohibited from completing CE or prohibited from practicing veterinary medicine. This regulatory proposal will change the requirements necessary to qualify for the CE waiver by requiring that both these criteria be met in order for the Board to grant the waiver.

Section 2085.2 (d)

There are no regulations that establish the criteria necessary to deny a waiver. This proposed regulation will authorize the board to deny a waiver even though the licensee meets the criteria, if by granting the waiver it compromises the health and safety of consumers and animals. The proposal also authorizes the Board, if necessary, to use the information from a waiver as a basis for determining whether the applicant violated the Veterinary Medicine Practice Act and take action accordingly.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact: The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses: The board has determined that this regulatory proposal will not have any impact on the creation of jobs or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business: The board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The board has determined that the proposed regulations would not affect small businesses.

This regulatory proposal involves clarifying the existing regulations relevant requesting a waiver from the continuing education requirements. The changes strengthen consumer and animal protection that the board is mandated to uphold.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Veterinary Medical Board at 1420 Howe Avenue, Suite 6, Sacramento, CA 95825-3228.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Deanne Pearce
Address: 1420 Howe Avenue, Suite 6
Sacramento, CA 95825-3228
Telephone No.: (916) 263-2610.
Fax No.: (916) 263-2621
E-Mail Address: deanne_pearce@dca.ca.gov

The backup contact person is:

Name: Jennifer Thornburg
Address: 1420 Howe Avenue, Suite 6
Sacramento, CA 95825-3228
Telephone No.: (916) 263-2610.
Fax No.: (916) 263-2621
E-Mail Address: jennifer_thornberg@dca.ca.gov

WEBSITE ACCESS

Materials regarding this proposal can be found at www.vmb.ca.gov.

TITLE 17. AIR RESOURCES BOARD

NOTICE OF PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE AREA DESIGNATIONS FOR STATE AMBIENT AIR QUALITY STANDARDS

The Air Resources Board (the Board or ARB) will conduct a public hearing at the time and place noted below to consider adoption of amendments to the regulations designating areas of California as attainment, nonattainment, nonattainment-transitional, or unclassified for pollutants with State ambient air quality standards set forth in section 70200 of title 17, California Code of Regulations.

DATE: January 20, 2005
TIME: 9:00 a.m.
PLACE: California Environmental Protection
Agency
Air Resources Board
1001 I Street
Byron Sher Auditorium, Second Floor
Sacramento, CA 95814

This item will be considered at a two-day meeting of the Board, which will commence at 9:00 a.m., January 20, 2005, and may continue at 8:30 a.m., January 21, 2005. This item may not be considered until January 21, 2005. Please consult the agenda for the meeting, which will be available at least 10 days before January 20, 2005, to determine the day on which this item will be considered.

If you have a disability-related accommodation need, please go to

<http://www.arb.ca.gov/html/ada/ada.htm>

for assistance or contact the ADA Coordinator at (916) 323-4916. If you are a person who needs assistance in a language other than English, please contact the Bilingual Coordinator at (916) 324-5049. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

INFORMATIVE DIGEST OF PROPOSED ACTION AND POLICY STATEMENT OVERVIEW

Sections Affected: Proposed amendments to title 17, California Code of Regulations (CCR), sections 60201, 60202, 60205, and 60210.

BACKGROUND

Pursuant to section 39606 of the Health and Safety Code (H&SC), the Board is charged with the responsibility of adopting standards of ambient air quality for each air basin in consideration of the public health, safety, and welfare. The Board has adopted State ambient air quality standards (State Standards) for ten pollutants, set forth in CCR, title 17, section 70200. The California Clean Air Act in H&SC section 39607(e) requires the Board to establish designation criteria which provide the basis for designating areas of California as attainment, nonattainment, nonattainment-transitional, or unclassified with respect to the State standards. The Board originally adopted designation criteria in 1989 and has modified them several times since then, the last time in January 2004. The designation criteria are set forth in CCR, title 17, sections 70300 through 70306, and appendices 1 through 4, thereof. Based on these designation criteria, the California Clean Air Act in H&SC section 39608 further requires the ARB to establish and annually review area designations for State standards. During the annual review, ARB determines whether changes to the existing area designations are warranted, based on an evaluation of recent air quality data.

The ARB makes area designations for ten pollutants: ozone, suspended particulate matter (PM10), fine suspended particulate matter (PM2.5), carbon monoxide, nitrogen dioxide, sulfur dioxide, sulfates, lead, hydrogen sulfide, and visibility reducing particles. The area designations comprise CCR, title 17, sections 60200 through 60210. This year's review of the

area designations is based on air quality data from 2001 through 2003. The proposed amendments include changes to several of the existing area designations for carbon monoxide, PM10, and PM2.5. These changes are summarized below:

Carbon Monoxide:

- Designate the Los Angeles County portion of the South Coast Air Basin as attainment. This area is currently designated as nonattainment-transitional. With this change, the entire South Coast Air Basin area will be attainment for the State carbon monoxide standards.

PM10:

- Designate Siskiyou County in the Northeast Plateau Air Basin as attainment. This area is currently designated as nonattainment.

PM2.5:

- Designate the Lake Tahoe Air Basin as attainment. This area is currently designated as unclassified.
- Designate the North Central Coast Air Basin as attainment. This area is currently designated as unclassified.

In addition to these changes, there is one change for ozone (summarized below) that occurs by operation of law under H&SC section 40925.5. Because this change occurs by operation of law, it does not require formal action by the Board. However, staff is proposing a change to the area designation regulations to reflect the automatic redesignation to nonattainment-transitional.

Ozone:

- Change the North Central Coast Air Basin designation for ozone specified in CCR, title 17, section 60201 from nonattainment to nonattainment-transitional. This redesignation occurred automatically by operation of law, and the staff proposes amending the area designation regulations to reflect this change.

COMPARABLE FEDERAL REGULATIONS

The proposed changes are amendments to existing State regulations. There are no comparable federal or local regulations.

AVAILABILITY OF DOCUMENTS AND AGENCY CONTACT PERSONS

The Board staff has prepared a Staff Report: Initial Statement of Reasons (ISOR) for the proposed regulatory action, which includes a summary of the economic and environmental impacts of the proposal. The Staff Report is entitled: "Initial Statement of Reasons for Proposed Rulemaking: 2004 Area Designations and Maps."

Copies of the ISOR and the full text of the proposed regulatory language, in underline and strike-out format to allow for comparison with the existing regulations, may be accessed on the ARB's web site listed below, or may be obtained from the Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, 1st Floor, Sacramento, CA 95814, (916) 322-2990 at least 45 days prior to the scheduled hearing, January 20, 2005.

Upon its completion, the Final Statement of Reasons (FSOR) will be available and copies may be requested from the agency contact persons in this notice, or may be accessed on the ARB's web site listed below.

Inquires concerning the substance of the proposed regulations may be directed to the designated agency contact persons: Marcella Nystrom, Staff Air Pollution Specialist, Air Quality Analysis Section, Planning and Technical Support Division, at (916) 323-8543 or via email at mnystrom@arb.ca.gov, or Gayle Sweigert, Manager, Air Quality Analysis Section, Planning and Technical Support Division, (916) 322-6923 or via email at gsweiger@arb.ca.gov.

Further, the agency representative and designated back-up contact persons to whom nonsubstantive inquiries concerning the proposed administrative action may be directed are Artavia Edwards, Manager, Board Administration & Regulatory Coordination Unit, (916) 322-6070, or Amy Whiting, Regulations Coordinator, (916) 322-6533. The Board has compiled a record for this rulemaking action, which includes all the information upon which the proposal is based. This material is available for inspection upon request to the contact persons.

This notice, the ISOR, and all subsequent regulatory documents, including the FSOR, when completed, are available on the ARB Internet site for this rulemaking at <http://www.arb.ca.gov/regact/area05/area05.htm>.

COSTS TO PUBLIC AGENCIES AND TO BUSINESSES AND PERSONS AFFECTED

The determinations of the Board's Executive Officer concerning the costs or savings necessarily incurred by public agencies and private persons and businesses in reasonable compliance with the proposed regulations are presented below.

The proposed amendments to the area designation regulations do not contain any requirements for action. Subsequent requirements for action may result after additional steps, such as plan preparation and approval, are taken. The area designations are simply labels that describe the healthfulness of the air quality in each area. Because these regulations by themselves

contain no requirements for action, they have no direct economic impact, and the following general determinations are appropriate.

Pursuant to Government Code sections 11346.5(a)(5) and 11346.5(a)(6), the Executive Officer has determined that the proposed regulatory action will not create costs or savings to any state agency or in federal funding to the state, costs or mandate to any local agency or school district whether or not reimbursable by the state pursuant to part 7 (commencing with section 17500), division 4, title 2 of the Government Code, or other nondiscretionary savings to state or local agencies.

In developing this regulatory proposal, the ARB staff evaluated the potential economic impacts on representative private persons or businesses. The ARB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

The Executive Officer also has made an initial determination that the proposed regulatory action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons.

In accordance with Government Code section 11346.3, the Executive Officer has determined that the proposed regulatory action will not affect the creation or elimination of jobs within the State of California, the creation of new businesses or elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California. A detailed assessment of the economic impacts of the proposed regulatory action can be found in the ISOR.

The Executive Officer has also determined, pursuant to title 1, CCR, section 4, that the proposed regulatory action will not affect small businesses because the proposed regulatory action does not contain any requirements for action.

Before taking final action on the proposed regulatory action, the Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

SUBMITTAL OF COMMENTS

The public may present comments relating to this matter orally or in writing at the hearing, and in writing or by e-mail before the hearing. To be considered by the Board, written submissions not

physically submitted at the hearing must be received no later than 12:00 noon, January 19, 2005, and addressed to the following:

Postal Mail is to be sent to:

Clerk of the Board
Air Resources Board
1001 I Street, 23rd Floor
Sacramento, California 95814

Electronic mail is to be sent to
area05@listserv.arb.ca.gov

and received at the ARB no later than 12:00 noon, January 19, 2005.

Facsimile transmissions are to be transmitted to the Clerk of the Board at (916) 322-3928 and received at the ARB no later than 12:00 noon, January 19, 2005.

The Board requests but does not require that 30 copies of any written statement be submitted and that all written statements be filed at least 10 days prior to the hearing so that ARB staff and Board Members have time to fully consider each comment. The Board encourages members of the public to bring to the attention of staff in advance of the hearing any suggestions for modification of the proposed regulatory action.

STATUTORY AUTHORITY AND REFERENCES

This regulatory action is proposed under that authority granted in Health and Safety Code (H&SC), sections 39600, 39601, 39608, and 40925.5. This action is proposed to implement, interpret, and make specific sections 39608, and 40925.5 of the H&SC.

HEARING PROCEDURES

The public hearing will be conducted in accordance with the California Administrative Procedure Act, title 2, division 3, part 1, chapter 3.5 (commencing with section 11340) of the Government Code.

Following the public hearing, the Board may adopt the regulatory language as originally proposed, or with non substantial or grammatical modifications. The Board may also adopt the proposed regulatory language with other modifications if the text as modified is sufficiently related to the originally proposed text that the public was adequately placed on notice that the regulatory language as modified could result from the proposed regulatory action; in such event, the full regulatory text, with the modifications clearly indicated, will be made available to the public, for written comment, at least 15 days before it is adopted.

The public may request a copy of the modified regulatory text from the ARB's Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, 1st Floor, Sacramento, California 95814, (916) 322-2990.

TITLE 20. ENERGY COMMISSION

PETROLEUM INDUSTRY INFORMATION REPORTING ACT RN 02-PII-01

NOTICE OF PROPOSED REGULATORY ACTION

SUBJECT: PETROLEUM INDUSTRY REPORTING REQUIREMENTS

NOTICE IS HEREBY GIVEN that the California Energy Commission (Energy Commission) proposes to amend Title 20, California Code of Regulations (CCR), section 1361 et seq.

AUTHORITY

These regulations are submitted pursuant to the Energy Commission's authority under Public Resources Code (PRC) 25354.

REFERENCE

These regulations are amended to implement and or make specific PRC 25354.

PUBLIC HEARING

A public hearing regarding the proposed regulatory action has not been scheduled. However, the Energy Commission will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulations to the Energy Commission. ***The written comment period on the proposed regulations will close at 5:00 p.m., on January 18, 2005.*** All comments must be submitted in writing (by mail, fax or e-mail) to the Agency Contact Person identified in this Notice by that time in order for them to be considered by the Board.

Comments may be submitted to:

California Energy Commission
Re: Docket No. 02-PII-01
Docket Unit, MS-4
1516 Ninth Street
Sacramento, CA 95814-5504
EMAIL: docket@energy.state.ca.us
FAX: 916-654-4365

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Public Resources Code 25350 et seq. vests the Energy Commission with the authority to establish regulations requiring the petroleum industry to report production, inventory, shipments and prices of crude oil, motor fuels and motor fuel blending components.

The amendments and modifications to title 20, California Code of Regulations Section 1361 et seq. will clarify statutory requirements that require the Energy Commission to collect information on production, inventory, shipments and prices for crude oil, motor fuels and motor fuel blending components in California. This information will allow the State to monitor the supply and price of transportation fuels and prepare timely reports on disruptions that may have an adverse impact on the California economy. This information will also allow the Energy Commission to assess the causes and conditions of price spikes, supply disruptions with respect to California's transportation fuel supplies, as directed by PRC 25356. There is comparable federal regulation that requires the crude oil and petroleum products industry to report similar information. However, the federal reporting requirements do not include state-specific information. California has a unique fuel specification that is not reflected in the federal reports. Thus, there is no comparable federal regulation where this information can be collected.

LOCAL MANDATES

The Energy Commission has determined that the proposed action imposes no mandate upon local agencies or school districts.

FISCAL IMPACT STATEMENT

Costs to any local agency or school district that must be reimbursed in accordance with Government Code §§ 17500 through 17630: None

Costs or savings to any state agency: The costs related to this rulemaking are estimated by the Energy Commission to be less than \$100,000.

Other non-discretionary costs or savings imposed on local agencies: None

Costs or savings in federal funding to the state: None

EFFECT ON HOUSING COSTS

The Energy Commission has made an initial determination that the proposed action will have no significant effect on housing costs.

COSTS IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The Energy Commission is not aware of any costs impacts that a representative private person would necessarily incur in reasonable compliance with the

proposed action. The Energy Commission is aware that a representative business will incur modest costs in compliance with the proposed action that will be offset by elimination of some existing reporting requirements.

SIGNIFICANT STATEWIDE ADVERSE IMPACT ON BUSINESS

The Energy Commission has initially determined that the proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

EFFECT ON SMALL BUSINESSES

The Energy Commission has determined that the proposed action will not have a significant statewide adverse impact on small businesses.

ASSESSMENT OF EFFECTS ON JOB AND/OR BUSINESS CREATION, ELIMINATION OR EXPANSION

The Energy Commission has determined that the proposed action amendments will have no effect on the creation of new jobs, the elimination of existing jobs or businesses within California, or the expansion of businesses currently doing business in California.

CONSIDERATION OF ALTERNATIVES

Because of confidentiality and antitrust regulations this information is not made available to the public in any form and the Energy Commission has determined that there is no reasonable alternative. No alternative has been identified and brought to the attention of the Energy Commission more effective in carrying out the purpose for which the action is proposed that is as effective, as and less burdensome, to affected private persons and businesses than the proposed regulatory action.

AVAILABILITY OF THE INITIAL STATEMENT OF REASONS, THE TEXT OF PROPOSED REGULATION AND THE RULEMAKING FILE

The Energy Commission has prepared and will make available the initial statement of reasons and the text of the proposed regulations on the Energy Commission's Internet Home Page at: www.energy.ca.gov. Review of the rulemaking file for this regulatory action, which contains those items and all the information on which the proposal is based, is available to the public during office hours via the Energy Commission contact person indicated below. The cost of copies is \$0.10 per page, plus postage. The statement of reasons and proposed text are also available for review at the Energy Commission's Docket Office.

AGENCY CONTACT PERSON

Please direct requests for review or copies of the initial statement of reasons, the proposed text of the regulations, or other information upon which the rulemaking is based, to:

Sue Kateley, PIIRA Supervisor
California Energy Commission
1516 Ninth Street, MS 14
Sacramento, CA 95814
skateley@energy.state.ca.us
916-657-4245

For any inquiries, please identify the action by using the Energy Commission's docket number **02-PII-01**.

Note: In the event the contact person is unavailable, inquires should be directed to the following backup contact person at the same address as noted above: Tom Glaviano, 916-651-8893.

Questions on the substance of the proposed regulatory action may be directed to: Sue Kateley, 916-657-4245.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

The final statement of reasons will be available on the Energy Commission's Internet Home Page at: www.energy.ca.gov. It may also be obtained from the Energy Commission contact person at a cost of \$0.10 per page, plus postage.

AVAILABILITY OF CHANGES TO PROPOSED TEXT

After considering all timely and relevant comments received, the Energy Commission may adopt the proposed regulations substantially as described in this notice. If the Energy Commission makes modifications that result in a sufficiently modified text, those modifications will be made available to the public for at least 15 days before the Energy Commission adopts the regulation as revised. Any modified regulatory text will be posted on the Energy Commission's Internet Home Page at: www.energy.ca.gov. Copies may also be obtained from the contact person indicated in this notice at a cost of \$ 0.10 per page, plus postage. The Energy Commission will accept written comments on the modified regulation for 15 days after the date on which they are made available.

TITLE 22. DEPARTMENT OF HEALTH SERVICES

ACTION

Notice of Emergency Rulemaking
Title 22, California Code of Regulations

SUBJECT

Nurse-to-Patient Ratios in General Acute Care Hospitals, **R-01-04E**

PUBLIC PROCEEDINGS

Notice is hereby given that the California Department of Health Services will conduct a public hearing commencing at 10 a.m. on January 18, 2005, in the Auditorium at 1500 Capitol Avenue, Sacramento, CA. At this time any interested person or such person's duly authorized representative may present statements, arguments or contentions (all of which are hereafter referred to as comments) relevant to the action described in this notice. At the public hearing, persons wishing to speak will be heard on a first-come, first-serve basis. In order to accommodate all who are anticipated to comment, speakers will be limited to ten minutes or less, depending on the number of people requesting to speak. Written comments of any length may be submitted for the record. Comments will not be discussed or debated, nor will speakers be cross-examined. A certified court reporter will record the proceedings and a transcript will be prepared for the public hearing.

COMMENTS

All written statements, arguments or contentions must be received by the Office of Regulations, Department of Health Services, MS 0015, P.O. Box 997413, Sacramento, CA 95899-7413, by 5 p.m. on January 21, 2005, which is hereby designated as the close of the written comment period. It is requested but not required that written statements, arguments or contentions sent by mail or hand-delivered be submitted in triplicate.

Comments may be transmitted by email (regulation@dhs.ca.gov), through the "Making Comments" link on the Department's website at <http://www.dhs.ca.gov/regulation>, regular mail or FAX (916-440-7714). It is requested that email transmissions of comments contain the regulation package identifier "R-01-04E" in the subject line to facilitate timely identification and review of the comment. All comments, including email or fax transmissions, should include the author's name and U.S. Postal Service mailing address in order for the Department to provide copies of any notices for proposed changes in the regulation text on which additional comments may be solicited. Comments received after 5:00 p.m. on January 21, 2005 will not be considered timely.

CONTACTS

In any of the following inquiries, please identify the action by using the Department regulation control number, R-01-04E:

1. In order to request a copy of this regulation package be sent to you, please call (916) 440-7695 or email regulation@dhs.ca.gov.
2. Inquiries regarding the substance of the emergency regulations described in this notice may be directed to Gina Henning, R.N., P.H.N. of Department of Health Services Licensing and Certification Division at (916) 552-9371.
3. All other inquiries concerning the action described in this notice may be directed to Barbara S. Gallaway, R.N., M.S.N., of the Office of Regulations at (916) 440-7695, or to the designated backup contact person, Cathy Ruebusch, R.N., M.S.N., at (916) 440-7695.

Persons wishing to use the California Relay Service may do so at no cost. The telephone numbers for accessing this service are: 1-800-735-2929, if you have a TDD; or 1-800-735-2922, if you do not have a TDD.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

These regulations amend Title 22 of the California Code of Regulations, Section 70217 (22 CCR 70217). Those regulations were adopted on August 26, 2003 to implement the statutory mandate of the Health and Safety Code (HSC) Section 1276.4. That section required the California Department of Health Services (Department) to develop minimum, specific, numerical licensed nurse-to-patient ratios by licensed nurse classification and by hospital unit for all general acute care hospitals. The Office of Administrative Law approved the regulations and they were filed with the Secretary of State on September 26, 2003. They were effective on October 26, 2003, and became operational until January 1, 2004.

Under 22 CCR Section 70217, general acute care hospitals are required to provide nurse staffing for each unit at a specified minimum ratio of nurses-to-patients. These emergency regulations postpone until January 1, 2008 the enrichment of the ratio for medical, surgical, medical/surgical, and mixed units that was set to change from 1:6 to 1:5 on January 1, 2005. The Department has determined that it is necessary to maintain the ratio that became operational on January 1, 2004 for medical, surgical, medical/surgical and mixed units January 1, 2008.

Also, these emergency regulations clarify the application of the nurse-to-patient ratios. The regulated community has repeatedly indicated to the Department that there is confusion about when nurses may or may not be counted toward satisfying the ratio requirements, and this confusion may have led to inaccurate conclusions about their compliance status. These amendments clarify the Department's intent. Also, the unique character of emergency departments

(EDs) makes it necessary to adjust the documentation requirements for those units, and to specify for providers the extent of their obligation when faced with saturation or a healthcare emergency. These amendments are more compatible with the reality of staff usage in emergency departments and the unpredictability of the numbers and acuities of patients presenting for care and treatment. The emergency regulations provide more realistic documentation standards for EDs while satisfying the Department's need for evidence of compliance.

Additionally, under 22 CCR Section 70217, general acute care hospitals are required to ensure that the nursing services provided meet the needs of the patients. Specifically, hospitals are required to utilize a Patient Classification System (PCS), which provides a method for establishing staffing requirements by unit, by patient, and by shift. The PCS is intended to set nursing staffing levels that identify the nursing care requirements of individual patients, and to indicate to the hospital the amount of nursing staff needed to provide the identified care. Nothing in the PCS requirements is changed by these emergency regulations. Nursing staff levels will still be required to increase in response to increasing patient acuity, i.e., the severity of the illness, the need for specialized equipment and technology, and the complexity of clinical judgment needed to design, implement, and evaluate the patient care plan.

There are no comparable federal statutes or regulations that address minimum nurse staffing levels in general acute care hospitals. 42 Code of Federal Regulations 482.23(b) provides the following requirements for hospitals certified to participate in Medicare: "The nursing service must have adequate numbers of licensed registered nurses, licensed practical (vocational) nurses and other personnel to provide nursing care to all patients as needed."

These emergency regulations affect personnel employed in licensed General Acute Care Hospitals, including Registered Nurses, Licensed Vocational Nurses, and Licensed Psychiatric Technicians.

AUTHORITY

Sections 1275, 1276.4 and 100275(a), Health and Safety Code.

REFERENCE

Sections 1250(a), 1276, 1276.4, 1797.58 and 1798.160, Health and Safety Code.

FISCAL IMPACT ESTIMATE

- A. Fiscal Effect on Local Government: Unknown annual savings.
- B. Fiscal Effect on State Government: \$1,410,500 in the current State fiscal year.

- C. Fiscal Effect on Federal Funding of State Programs: \$1,410,500 in the current State fiscal year.
- D. The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the emergency action.
- E. Other Nondiscretionary Cost or Savings Imposed on Local Agencies: None.

DETERMINATIONS

The Department has determined that the regulations would not impose a mandate on local agencies or school districts, nor are there any costs for which reimbursement is required by Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

The Department has made an initial determination that the regulations would not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The Department has determined that the regulations would not significantly affect the following:

- (1) The creation or elimination of jobs within the State of California.
- (2) The creation of new businesses or the elimination of existing businesses within the State of California.
- (3) The expansion of businesses currently doing business within the State of California.

The Department has determined that the regulations may affect small business.

The Department has determined that the regulations will have no impact on housing costs.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF REGULATIONS

The Department has prepared and has available for public review an initial statement of reasons for the emergency regulations, all the information upon which the emergency regulations are based, and the text of the emergency regulations. A copy of the initial statement of reasons and a copy of the text of the emergency regulations are available upon request by writing to the Office of Regulations at the address noted above, which address will also be the location of public records, including reports, documentation, and other material related to the emergency regulations (rulemaking file). Additionally, a copy of the final statement of reasons (when prepared) will be available upon request from the Office of Regulations at the address noted above. Materials regarding the emergency regulations that are available via the Internet may be accessed at <http://www.dhs.ca.gov/regulation/>.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

The full text of any regulation which is changed or modified from the express terms of the emergency action will be made available by the Department's Office of Regulations at least 15 days prior to the date on which the Department adopts, amends, or repeals the resulting regulation.

ADDITIONAL STATEMENTS AND COMMENTS

In accordance with Government Code Section 11346.5(a)(13) the Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action was taken or would be as effective and less burdensome to affected private persons than the emergency action.

Other regulation changes may be scheduled for hearing at the same time appointed for public hearing on the action described in this notice. An agenda for the public hearing will be posted at the time and place of hearing designated above.

Sign language interpreting services at a public hearing or other reasonable accommodation will be provided upon request. Such request should be made no later than 21 days prior to the close of the written comment period, and addressed to the Office of Civil Rights within the Department of Health Services by phone (916-440-7370); FAX (916-440-7395); TDD (916-440-7399); or email (civilrights-ra@dhs.ca.gov).

GENERAL PUBLIC INTEREST

AIR RESOURCES BOARD

VIA U.S. AND ELECTRONIC MAIL

October 21, 2004

Steven P. Douglas
Director of Environmental Affairs
Alliance of Automobile Manufacturers
925 L Street, Suite 825
Sacramento, CA 95814

Dear Mr. Douglas:

This is in response to your October 20, 2004 letter requesting, on behalf of the Alliance of Automobile Manufacturers (Alliance), that the Air Resources Board hold a public hearing on the proposal to adopt motor vehicle greenhouse gas regulations. Your request is denied because a public hearing on this matter has already been properly noticed and held, and

no further public hearing is required by Government Code section 11346.8(a) (all sections cited hereafter are to the Government Code), as detailed below.

Pursuant to Government Code section 11346.5(a)(1), on August 6, 2004, the Board published a notice of public hearing that included the time, place, and nature of the proceedings for adopting the regulation in question: 9:00 a.m. on September 23, 2004, at the Sheraton Gateway Hotel near the Los Angeles Airport. Scheduling a public hearing on this regulatory item obviated the need to include in the notice a statement alerting the public of their right to request a hearing (section 11346.5(a)(17) referencing section 11346.8) because the hearing was already scheduled. This is typical of ARB rulemakings; the Board schedules a public hearing on regulatory items regardless of whether it is requested to do so under sections 11346.5(a)(17) and 11346.8.

As required by section 11346.4, we mailed a copy of the above notice to persons such as the Alliance and posted it on our web site. As you know, the hearing occurred as scheduled and the Alliance presented extensive written and oral comment during that proceeding.

Section 11346.8(a) does not create a mandatory duty to conduct another hearing, but rather simply expresses a right—inapplicable here—to request a hearing within the minimum 45-day notice period if one had not been scheduled. The “In addition . . . public hearing” sentence in section 11346.8(a) must be read in context with, and has meaning only with regard to, the previous sentence, “If a public hearing is not scheduled. . . .” Again, the Board scheduled and held such a public hearing, which in turn triggers only the first two sentences and last sentence in section 11346.8(a).

In conclusion, your request for a second public hearing on the proposed regulations to control greenhouse gas emissions from motor vehicles is denied. However, the ongoing regulatory process to finalize this regulation will provide the Alliance with additional opportunity to comment as provided under the Administrative Procedures Act.

Sincerely,

Catherine Witherspoon
Executive Officer

cc: Alan C. Lloyd, Ph.D.
Diane Moritz Johnston, General Counsel
Lori Andreoni, Clerk of the Board

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

NOTICE IS HEREBY GIVEN that the prospective contractors listed below have been required to submit a Nondiscrimination Program (NDP) or a California Employer Identification Report (CEIR) to the Department of Fair Employment and Housing, in accordance with the provisions of Government Code Section 12990. No such program or (CEIR) has been submitted and the prospective contractors are ineligible to enter into State contracts. The prospective contractor's signature on Standard Form 17A, 17B, or 19, therefore, does not constitute a valid self-certification. Until further notice, each of these prospective contracts in order to submit a responsive bid must present evidence that its Nondiscrimination Program has been certified by the Department.

ASIX Communications, Inc.
DBA ASI Telesystems, Inc.
21150 Califa Street
Woodland Hills, CA 91367

Bay Recycling
800 77th Avenue
Oakland, CA 94621

C & C Disposal Service
P. O. Box 234
Rocklin, CA 95677

Choi Engineering Corp.
286 Greenhouse
Marketplace, Suite 329
San Leandro, CA 94579

Fries Landscaping
25421 Clough
Escalon, CA 95320

Marinda Moving, Inc.
8010 Betty Lou Drive
Sacramento, CA 95828

MI-LOR Corporation
P. O. Box 60
Leominster, MA 01453

Peoples Ridesharing
323 Fremont Street
San Francisco, CA 94105

San Diego Physicians &
Surgeons Hospital
446 26th Street
San Diego, CA

Southern CA Chemicals
8851 Dice Road
Santa Fe Springs, CA 90670

Tanemura and Antle Co.
1400 Schilling Place
Salinas, CA 93912

Turtle Building Maintenance Co.
8132 Darien Circle
Sacramento, CA 95828

Univ Research Foundation
8422 La Jolla Shore Dr.
La Jolla, CA 92037

Vandergoot Equipment Co.
P. O. Box 925
Middletown, CA 95461

**CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

NOTICE TO INTERESTED PARTIES

**ANNOUNCEMENT OF A PUBLIC
COMMENT PERIOD**

**Public comments on the child-specific Reference
Dose (chRD) for manganese and
pentachlorophenol for use in assessing health
risks at existing and proposed School Sites**

The Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency is making available for review and comment the Draft Report "Development of Health Criteria for School Site Risk Assessment Pursuant to Health and Safety Code Section 901(g): PROPOSED CHILD-SPECIFIC REFERENCE DOSE (chRD) FOR SCHOOL SITE RISK ASSESSMENT-Manganese and Pentachlorophenol." Health and Safety Code (HSC), Section 901(g) requires the Office of Environmental Health Hazard Assessment (OEHHA), in consultation with the appropriate entities within the California Environmental Protection Agency, to identify those chemical contaminants commonly found at school sites and determined by OEHHA to be of greatest concern based on child-specific physiological sensitivities. HSC 901(g) also requires OEHHA to annually evaluate and publish, as appropriate, numerical health guidance values (HGVs) or chRDs for those chemical contaminants until the contaminants identified have been exhausted. ChRDs for manganese and pentachlorophenol are being considered at this time.

This public review and comment period follows the requirements set forth in Health and Safety Code Section 57003 for receiving public input. On a parallel

track, OEHHA will be seeking comments from an external peer review panel to be assembled by the Office of the President, University of California. OEHHA requests that comments on this draft report be delivered to OEHHA by 5:00 p.m. January 18, 2005. Comments received by that date will be considered in revision of the document.

If you would like to receive further information on this announcement or have questions, please contact our office at (916) 324-2829 or the address below. Written requests or comments should be addressed to:

Mr. Leon Surgeon
Integrated Risk Assessment Section
Office of Environmental Health Hazard Assessment
P.O. Box 4010
1001 I Street
Sacramento, California 95812-4010
FAX: (916) 322-9705

PROPOSITION 65

**CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACT OF 1986
(Proposition 65)**

NOTICE TO INTERESTED PARTIES

**CHEMICAL LISTED EFFECTIVE
December 3, 2004
AS KNOWN TO THE STATE OF CALIFORNIA
TO CAUSE CANCER**

The Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency is adding "*riddelliine*" to the list of chemicals known to the state to cause cancer for purposes of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Health and Safety Code section 25249.5, Proposition 65). The listing of "*riddelliine*" is effective **December 3, 2004**.

Health and Safety Code section 25249.8(a) requires that certain substances identified by the International Agency for Research on Cancer (IARC) or the National Toxicology Program (NTP), as described in Labor Code sections 6382(b)(1) and (d), be included on the Proposition 65 list. Labor Code sec-

tion 6382(b)(1) references substances identified as human or animal carcinogens by IARC, and Labor Code section 6382(d) references substances identified as carcinogens or potential carcinogens by IARC or NTP. *Riddelliine* was identified by IARC as an animal carcinogen.

The basis for the listing of “*riddelliine*” on the Proposition 65 list was described in OEHHA’s Request for Comment on Proposed Listing of *Riddelliine* As Known to Cause Cancer published in the October 22, 2004, issue of the *California Regulatory Notice Register* (Register 2004, No. 43-Z). Specifically, IARC issued the monograph “Some Traditional Herbal Medicines, Some Mycotoxins, Naphthalene and Styrene,” (Volume 82) in 2002 in its series *IARC Monographs on the Evaluation of Carcinogenic Risks to Humans*, and concluded “there is sufficient evidence in experimental animals for the carcinogenicity of “*riddelliine*.” OEHHA received no public comment on the listing of the chemical “*riddelliine*.”

OEHHA analyses of dose-response data to establish the no significant risk level (NSRL) for this chemical under Proposition 65 have not been conducted. The priority status of the development of such analyses will be announced in a future OEHHA *Proposition 65 Status Report for Safe Harbor Levels*, available at <http://www.oehha.ca.gov/prop65.html>.

A complete, updated Proposition 65 list is published elsewhere in this issue of the *California Regulatory Notice Register*.

Cancer

Chemical	CAS No.	Toxicological Endpoint	Listing Mechanism ¹
Riddelliine	—	Cancer	LC

¹ Listing mechanism:

LC—“Labor Code” mechanism (Labor Code sections 6382(b)(1) and (d))

**CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT
SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACT OF 1986
(Proposition 65)**

NOTICE TO INTERESTED PARTIES

**CHEMICAL LISTED EFFECTIVE
DECEMBER 7, 2004**

**AS KNOWN TO THE STATE OF CALIFORNIA
TO CAUSE REPRODUCTIVE TOXICITY**

The Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency is adding *1-bromopropane (1-BP)*

to the list of chemicals known to the state to cause reproductive toxicity for purposes of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Health and Safety Code section 25249.5 et seq., Proposition 65). The listing of the chemical is effective **December 7, 2004**.

1-Bromopropane (1-BP) (CAS No. 106-94-5) is listed as a chemical known to the State of California to cause reproductive toxicity for the developmental, female and male reproductive endpoints. The listing of this chemical is based on a formal identification by an authoritative body (i.e., the National Toxicology Program [“NTP”]) that the chemical causes developmental, female and male reproductive toxicity. Regulations governing the listing of chemicals under the “authoritative bodies” mechanism are published in Title 22, Cal. Code of Regs. section 12306.

The reader is directed to the Notice of Intent to List *1-bromopropane (1-BP)* published in the October 8, 2004, issue of the *California Regulatory Notice Register* (Register No. 2004, No. 41-Z) for the documentation supporting OEHHA’s determination that the criteria for administrative listing have been satisfied for this chemical. The documentation was developed to explain the basis for listing this chemical via the authoritative bodies provision of Proposition 65. OEHHA analyses of dose-response data to establish the no significant risk level (NSRL) for this chemical under Proposition 65 have not been conducted. The priority status of the development of such analyses will be announced in a future OEHHA *Proposition 65 Status Report for Safe Harbor Levels*, available at <http://www.oehha.ca.gov/prop65.html>.

A complete, updated Proposition 65 list is published elsewhere in this issue of the *California Regulatory Notice Register*. The following table outlines the addition of *1-bromopropane* to the Proposition 65 chemical list as known to the State to cause reproductive toxicity:

Reproductive Toxicity

Chemical	CAS No.	Toxicological Endpoints	Listing Mechanism ¹
1-Bromopropane (1-BP)	106-94-5	Developmental, female reproductive and male reproductive toxicity	AB

¹ Listing mechanism:

AB—“authoritative bodies” mechanism (22 CCR, Cal. Code of Regs. section 12306)

**STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACT OF 1986**

**CHEMICALS KNOWN TO THE STATE
TO CAUSE CANCER OR
REPRODUCTIVE TOXICITY
DECEMBER 3, 2004**

The Safe Drinking Water and Toxic Enforcement Act of 1986 requires that the Governor revise and republish at least once per year the list of chemicals known to the State to cause cancer or reproductive toxicity. The identification number indicated in the following list is the Chemical Abstracts Service (CAS) Registry Number. No CAS number is given when several substances are presented as a single listing. The date refers to the initial appearance of the chemical on the list. For easy reference, chemicals which are shown underlined are newly added. Chemicals which are shown with a strikethrough were placed on the list with the date noted, and have subsequently been removed.

**CHEMICALS KNOWN TO THE STATE
TO CAUSE CANCER**

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
A-alpha-C (2-Amino-9H-pyrido[2,3-b]indole)	26148685	January 1, 1990
Acetaldehyde	75070	April 1, 1988
Acetamide	60355	January 1, 1990
Acetochlor	34256821	January 1, 1989
2-Acetylaminofluorene	53963	July 1, 1987
Acifluorfen	62476599	January 1, 1990
Acrylamide	79061	January 1, 1990
Acrylonitrile	107131	July 1, 1987
Actinomycin D	50760	October 1, 1989
Adriamycin (Doxorubicin hydrochloride)	23214928	July 1, 1987
AF-2:[2-(2-furyl)-3-(5-nitro-2-furyl)]acrylamide	3688537	July 1, 1987
Aflatoxins	—	January 1, 1988
Alachlor	15972608	January 1, 1989
Alcoholic beverages, when associated with alcohol abuse	—	July 1, 1988
Aldrin	309002	July 1, 1988
Allyl chloride	407051	January 1, 1990
2-Aminoanthraquinone	117793	October 1, 1989
p-Aminoazobenzene	60093	January 1, 1990
ortho-Aminoazotoluene	97563	July 1, 1987
4-Aminobiphenyl	—	—
(4-aminodiphenyl)	92671	February 27, 1987
1-Amino-2,4-dibromoanthraquinone	81492	August 26, 1997

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
3-Amino-9-ethylcarbazole hydrochloride	6109973	July 1, 1989
2-Aminofluorene	153786	January 29, 1999
1-Amino-2-methylantraquinone	82280	October 1, 1989
2-Amino-5-(5-nitro-2-furyl)-1,3,4-thiadiazole	712685	July 1, 1987
4-Amino-2-nitrophenol	119346	January 29, 1999
Amitrole	61825	July 1, 1987
Analgesic mixtures containing phenacetin	—	February 27, 1987
Aniline	62533	January 1, 1990
Aniline hydrochloride	142041	May 15, 1998
ortho-Anisidine	90040	July 1, 1987
ortho-Anisidine hydrochloride	134292	July 1, 1987
Antimony oxide (Antimony trioxide)	1309644	October 1, 1990
Aramite	140578	July 1, 1987
Arsenic (inorganic arsenic compounds)	—	February 27, 1987
Asbestos	1332214	February 27, 1987
Auramine	492808	July 1, 1987
Azacitidine	320672	January 1, 1992
Azaserine	115026	July 1, 1987
Azathioprine	446866	February 27, 1987
Azobenzene	103333	January 1, 1990
Benz[a]anthracene	56553	July 1, 1987
Benzene	71432	February 27, 1987
Benzidine [and its salts]	92875	February 27, 1987
Benzidine-based dyes	—	October 1, 1992
Benzo[b]fluoranthene	205992	July 1, 1987
Benzo[j]fluoranthene	205823	July 1, 1987
Benzo[k]fluoranthene	207089	July 1, 1987
Benzofuran	271896	October 1, 1990
Benzo[a]pyrene	50328	July 1, 1987
Benzotrichloride	98077	July 1, 1987
Benzyl chloride	100447	January 1, 1990
Benzyl violet 4B	1694093	July 1, 1987
Beryllium and beryllium compounds	—	October 1, 1987
Betel quid with tobacco	—	January 1, 1990
2,2-Bis(bromomethyl)-1,3-propanediol	3296900	May 1, 1996
Bis(2-chloroethyl)ether	111444	April 1, 1988
N,N-Bis(2-chloroethyl)-2-naphthylamine (Chlor-napazine)	494031	February 27, 1987
Bischloroethyl nitrosourea (BCNU)(Carmustine)	154938	July 1, 1987
Bis(chloromethyl)ether	542881	February 27, 1987
Bis(2-chloro-1-methylethyl)ether, technical grade	—	October 29, 1999
Bitumens, extracts of steam-refined and air refined	—	January 1, 1990
Bracken fern	—	January 1, 1990
Bromate	15541454	May 31, 2002
Bromodichloromethane	75274	January 1, 1990
Bromoethane	74964	December 22, 2000
Bromoform	75252	April 1, 1991
1,3-Butadiene	106990	April 1, 1988
1,4-Butanediol dimethanesulfonate (Busulfan)	55981	February 27, 1987

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>	<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Butylated hydroxyanisole	25013165	January 1, 1990	C.I. Acid Red 114	6459945	July 1, 1992
beta-Butyrolactone	3068880	July 1, 1987	C.I. Basic Red 9		
Cacodylic acid	75605	May 1, 1996	monohydrochloride	569619	July 1, 1989
Cadmium and cadmium			C.I. Direct Blue 15	2429745	August 26, 1997
compounds	—	October 1, 1987	C.I. Direct Blue 218	28407376	August 26, 1997
Caffeic acid	331395	October 1, 1994	C.I. Solvent Yellow 14	842079	May 15, 1998
Captafol	2425061	October 1, 1988	Ciclosporin (Cyclosporin	59865133	January 1, 1992
Captan	133062	January 1, 1990	A; Cyclosporine)	79217600	
Carbazole	86748	May 1, 1996	Cidofovir	113852372	January 29, 1999
Carbon black (airbone, unbound			Cinnamyl anthranilate	87296	July 1, 1989
particles of respirable size)	1333864	February 21, 2003	Cisplatin	15663271	October 1, 1988
Carbon tetrachloride	56235	October 1, 1987	Citrus Red No. 2	6358538	October 1, 1989
Carbon-black extracts	—	January 1, 1990	Clofibrate	637070	September 1, 1996
N-Carboxymethyl-N-			Cobalt metal powder	7440484	July 1, 1992
nitrosoarea	60391926	January 25, 2002	Cobalt [II] oxide	1307966	July 1, 1992
Catechol	120809	July 15, 2003	Cobalt sulfate heptahydrate	10026241	June 2, 2000
Ceramic fibers (airborne particles			Coke oven emissions	—	February 27, 1987
of respirable size)	—	July 1, 1990	Conjugated estrogens	—	February 27, 1987
Certain combined chemotherapy			Creosotes	—	October 1, 1988
for lymphomas	—	February 27, 1987	para-Cresidine	120718	January 1, 1988
Chlorambucil	305033	February 27, 1987	Cupferron	135206	January 1, 1988
Chloramphenicol	56757	October 1, 1989	Cycasin	14901087	January 1, 1988
Chlordane	57749	July 1, 1988	Cyclophosphamide		
Chlordecone (Kepone)	143500	January 1, 1988	(anhydrous)	50180	February 27, 1987
Chlordimeform	6164983	January 1, 1989	Cyclophosphamide		
Chlorendic acid	115286	July 1, 1989	(hydrated)	6055192	February 27, 1987
Chlorinated paraffins			Cytembena	21739913	May 15, 1998
(Average chain length, C12;					
approximately 60 percent			D&C Orange No. 17	3468631	July 1, 1990
chlorine by weight)	108171262	July 1, 1989	D&C Red No. 8	2092560	October 1, 1990
p-Chloroaniline	106478	October 1, 1994	D&C Red No. 9	5160021	July 1, 1990
p-Chloroaniline			D&C Red No. 19	81889	July 1, 1990
hydrochloride	20265967	May 15, 1998	Dacarbazine	4342034	January 1, 1988
Chlorodibromomethane			Daminozide	1596845	January 1, 1990
Delisted October 29, 1999	124481	January 1, 1990	Dantron (Chrysazin;		
Chloroethane (Ethyl chloride)	75003	July 1, 1990	1,8-Dihydroxyanthraqui-		
1-(2-Chloroethyl)-3-cyclohexyl-1-			none)	117102	January 1, 1992
nitrosoarea (CCNU)			Daunomycin	20830813	January 1, 1988
(Lomustine)	13010474	January 1, 1988	DDD (Dichlorodiphenyldichloro-		
1-(2-Chloroethyl)-3-(4-			ethane)	72548	January 1, 1989
methylcyclohexyl)-1-			DDE (Dichlorodiphenyldichloro-		
nitrosoarea (Methyl-			ethylene)	72559	January 1, 1989
CCNU)	13909096	October 1, 1988	DDT (Dichlorodiphenyltrichloro-		
Chloroform	67663	October 1, 1987	ethane)	50293	October 1, 1987
Chloromethyl methyl ether			DDVP (Dichlorvos)	62737	January 1, 1989
(technical grade)	107302	February 27, 1987	N,N'-Diacetylbenzidine	613354	October 1, 1989
3-Chloro-2-methylpropene	563473	July 1, 1989	2,4-Diaminoanisole	615054	October 1, 1990
1-Chloro-4-nitrobenzene	100005	October 29, 1999	sulfate	39156417	January 1, 1988
4-Chloro-ortho-phenylenedia-			4,4'-Diaminodiphenyl ether		
mine	95830	January 1, 1988	(4,4'-Oxydianiline)	101804	January 1, 1988
p-Chloro-o-toluidine	95692	January 1, 1990	2,4-Diaminotoluene	95807	January 1, 1988
p-Chloro-o-toluidine, strong acid			Diaminotoluene (mixed)	—	January 1, 1990
salts of	—	May 15, 1998	Dibenz[a,h]acridine	226368	January 1, 1988
5-Chloro-o-toluidine and its strong			Dibenz[a,j]acridine	224420	January 1, 1988
acid salts	—	October 24, 1997	Dibenz[a,h]anthracene	53703	January 1, 1988
Chloroprene	126998	June 2, 2000	7H-Dibenzo[c,g]carbazole	194592	January 1, 1988
Chlorothalonil	1897456	January 1, 1989	Dibenzo[a,e]pyrene	192654	January 1, 1988
Chlorotrianisene	569573	September 1, 1996	Dibenzo[a,h]pyrene	189640	January 1, 1988
Chlorozotocin	54749905	January 1, 1992	Dibenzo[a,i]pyrene	189559	January 1, 1988
Chromium (hexavalent			Dibenzo[a,l]pyrene	191300	January 1, 1988
compounds)	—	February 27, 1987	1,2-Dibromo-3-chloropropane		
Chrysene	218019	January 1, 1990	(DBCP)	96128	July 1, 1987
			2,3-Dibromo-1-propanol	96139	October 1, 1994

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<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>	<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Dichloroacetic acid	79436	May 1, 1996	Direct Black 38 (technical grade)	1937377	January 1, 1988
p-Dichlorobenzene	106467	January 1, 1989	Direct Blue 6 (technical grade)	2602462	January 1, 1988
3,3'-Dichlorobenzidine	91941	October 1, 1987	Direct Brown 95 (technical grade)	16071866	October 1, 1988
3,3'-Dichlorobenzidine dihydrochloride	612839	May 15, 1998	Disperse Blue 1	2475458	October 1, 1990
1,4-Dichloro-2-butene	764410	January 1, 1990	Diuron	330541	May 31, 2002
3,3'-Dichloro-4,4'-diaminodiphenyl ether	28434868	January 1, 1988	Epichlorohydrin	106898	October 1, 1987
1,1-Dichloroethane	75343	January 1, 1990	Erionite	12510428	October 1, 1988
Dichloromethane (Methylene chloride)	75092	April 1, 1988	Estradiol 17B	50282	January 1, 1988
1,2-Dichloropropane	78875	January 1, 1990	Estragole	140670	October 29, 1999
1,3-Dichloropropene	542756	January 1, 1989	Estrone	53167	January 1, 1988
Dieldrin	60571	July 1, 1988	Estropipate	7280377	August 26, 1997
Dienestrol	84173	January 1, 1990	Ethinylestradiol	57636	January 1, 1988
Diepoxybutane	1464535	January 1, 1988	Ethoprop	13194484	February 27, 2001
Diesel engine exhaust	—	October 1, 1990	Ethyl acrylate	140885	July 1, 1989
Di(2-ethylhexyl)phthalate	117817	January 1, 1988	Ethyl methanesulfonate	62500	January 1, 1988
1,2-Diethylhydrazine	1615801	January 1, 1988	Ethyl-4,4'-dichloro-benzilate	510156	January 1, 1990
Diethyl sulfate	64675	January 1, 1988	Ethylene dibromide	106934	July 1, 1987
Diethylstilbestrol (DES)	56531	February 27, 1987	Ethylene dichloride (1,2-Dichloroethane)	107062	October 1, 1987
Diglycidyl resorcinol ether (DGRE)	101906	July 1, 1989	Ethylene oxide	75218	July 1, 1987
Dihydrosafrole	94586	January 1, 1988	Ethylene thiourea	96457	January 1, 1988
Diisopropyl sulfate	2973106	April 1, 1993	Ethyleneimine	151564	January 1, 1988
3,3'-Dimethoxybenzidine (ortho-Dianisidine)	119904	January 1, 1988	Fenoxycarb	72490018	June 2, 2000
3,3'-Dimethoxybenzidine dihydrochloride (ortho-Dianisidine dihydrochloride)	20325400	October 1, 1990	Folpet	133073	January 1, 1989
Dimethyl sulfate	77781	January 1, 1988	Formaldehyde (gas)	50000	January 1, 1988
4-Dimethylaminoazobenzene	60117	January 1, 1988	2-(2-Formylhydrazino)-4-(5-nitro-2-furyl)thiazole	3570750	January 1, 1988
trans-2-[(Dimethyl-amino)methylimino]-5-[2-(5-nitro-2-furyl)vinyl]-1,3,4-oxadiazole	55738540	January 1, 1988	Fumonisin B ₁	116355830	November 14, 2003
7,12-Dimethylbenz(a) anthracene	57976	January 1, 1990	Furan	110009	October 1, 1993
3,3'-Dimethylbenzidine (ortho-Tolidine)	119937	January 1, 1988	Furazolidone	67458	January 1, 1990
3,3'-Dimethylbenzidine dihydrochloride	612828	April 1, 1992	Furmecyclohex	60568050	January 1, 1990
Dimethylcarbamoyl chloride	79447	January 1, 1988	Fusarin C	79748815	July 1, 1995
1,1-Dimethylhydrazine (UDMH)	57147	October 1, 1989	Ganciclovir sodium	82410320	August 26, 1997
1,2-Dimethylhydrazine	540738	January 1, 1988	Gasoline engine exhaust (condensates/extracts)	—	October 1, 1990
Dimethylvinylchloride	513371	July 1, 1989	Gemfibrozil	25812300	December 22, 2000
3,7-Dinitrofluoranthene	105735715	August 26, 1997	Glasswool fibers (airborne particles of respirable size)	—	July 1, 1990
3,9-Dinitrofluoranthene	22506532	August 26, 1997	Glu-P-1 (2-Amino-6-methyldipyrido[1,2-a:3',2'-d]imidazole)	67730114	January 1, 1990
1,6-Dinitropyrene	42397648	October 1, 1990	Glu-P-2 (2-Aminodipyrido[1,2-a:3',2'-d]imidazole)	67730103	January 1, 1990
1,8-Dinitropyrene	42397659	October 1, 1990	Glycidaldehyde	765344	January 1, 1988
Dinitrotoluene mixture, 2,4-/2,6-	—	May 1, 1996	Glycidol	556525	July 1, 1990
2,4-Dinitrotoluene	121142	July 1, 1988	Griseofulvin	126078	January 1, 1990
2,6-Dinitrotoluene	606202	July 1, 1995	Gyromitrin (Acetaldehyde methylformylhydrazine)	16568028	January 1, 1988
Di-n-propyl isocinchomeronate (MGK Repellent 326)	136458	May 1, 1996	HC Blue 1	2784943	July 1, 1989
1,4-Dioxane	123911	January 1, 1988	Heptachlor	76448	July 1, 1988
Diphenylhydantoin (Phenytoin)	57410	January 1, 1988	Heptachlor epoxide	1024573	July 1, 1988
Diphenylhydantoin (Phenytoin), sodium salt	630933	January 1, 1988	Hexachlorobenzene	118741	October 1, 1987
			Hexachlorocyclohexane (technical grade)	—	October 1, 1987

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>	<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Hexachlorodibenzo- dioxin	34465468	April 1, 1988	4,4'-Methylene bis(N,N-dimethyl) benzenamine	101611	October 1, 1989
Hexachloroethane	67721	July 1, 1990	4,4'-Methylene bis (2-methylaniline)	838880	April 1, 1988
Hexamethylphosphora- mide	680319	January 1, 1988	4,4'-Methylenedianiline	101779	January 1, 1988
Hydrazine	302012	January 1, 1988	4,4'-Methylenedianiline dihydrochloride	13552448	January 1, 1988
Hydrazine sulfate	10034932	January 1, 1988	Methyleugenol	93152	November 16, 2001
Hydrazobenzene (1,2-Diphenylhydrazine)	122667	January 1, 1988	Methylhydrazine and its salts	—	July 1, 1992
Indeno [1,2,3-cd]pyrene	193395	January 1, 1988	Methyl iodide	74884	April 1, 1988
Indium phosphide	22398807	February 27, 2001	Methylmercury compounds	—	May 1, 1996
IQ (2-Amino-3- methylimidazo[4,5-f] quinoline)	76180966	April 1, 1990	Methyl methanesulfonate	66273	April 1, 1988
Iprodione	36734197	May 1, 1996	2-Methyl-1-nitroanthraquin- one (of uncertain purity)	129157	April 1, 1988
Iron dextran complex	9004664	January 1, 1988	N-Methyl-N'-nitro-N- nitrosoguanidine	70257	April 1, 1988
Isobutyl nitrite	542563	May 1, 1996	N-Methylolacrylamide	924425	July 1, 1990
Isoprene	78795	May 1, 1996	Methylthiouracil	56042	October 1, 1989
Isosafrole	120581	October 1, 1989	Metiram	9006422	January 1, 1990
Isoxaflutole	141112290	December 22, 2000	Metronidazole	443481	January 1, 1988
Lactofen	77501634	January 1, 1989	Michler's ketone	90948	January 1, 1988
Lasiocarpine	303344	April 1, 1988	Mirex	2385855	January 1, 1988
Lead acetate	301042	January 1, 1988	Mitomycin C	50077	April 1, 1988
Lead and lead compounds	—	October 1, 1992	Monocrotaline	315220	April 1, 1988
Lead phosphate	7446277	April 1, 1988	5-(Morpholinomethyl)-3-[(5-nitro- furfurylidene)- amino]-2-oxalolidinone	139913	April 1, 1988
Lead subacetate	1335326	October 1, 1989	Mustard Gas	505602	February 27, 1987
Lindane and other hexachlorocyclohexane isomers	—	October 1, 1989	MX (3-chloro-4-dichloromethyl-5- hydroxy-2(5H)-furanone)	77439760	December 22, 2000
Lynestrenol	52766	February 27, 2001	Nafenopin	3771195	April 1, 1988
Mancozeb	8018017	January 1, 1990	Nalidixic acid	389082	May 15, 1998
Maneb	12427382	January 1, 1990	Naphthalene	91203	April 19, 2002
Me-A-alpha-C (2-Amino-3- methyl-9H-pyrido[2,3-b] indole)	68006837	January 1, 1990	1-Naphthylamine	134327	October 1, 1989
Medroxyprogesterone acetate	71589	January 1, 1990	2-Naphthylamine	91598	February 27, 1987
MeIQ(2-Amino-3,4- dimethylimidazo[4,5-f] quinoline)	77094112	October 1, 1994	Nickel (Metallic)	7440020	October 1, 1989
MeIQx(2-Amino-3,8- dimethylimidazo[4,5-f] quinoxaline)	77500040	October 1, 1994	Nickel acetate	373024	October 1, 1989
Melphalan	148823	February 27, 1987	Nickel carbonate	3333673	October 1, 1989
Merphalan	531760	April 1, 1988	Nickel carbonyl	13463393	October 1, 1987
Mestranol	72333	April 1, 1988	Nickel compounds	—	May 7, 2004
Metham sodium	137428	November 6, 1998	Nickel hydroxide	12054487; 12125563	October 1, 1989
8-Methoxypsoralen with ultraviolet A therapy	298817	February 27, 1987	Nickelocene	1271289	October 1, 1989
5-Methoxypsoralen with ultraviolet A therapy	484208	October 1, 1988	Nickel oxide	1313991	October 1, 1989
2-Methylaziridine (Propyleneimine)	75558	January 1, 1988	Nickel refinery dust from the pyrometallurgical process	—	October 1, 1987
Methylazoxymethanol	590965	April 1, 1988	Nickel subsulfide	12035722	October 1, 1987
Methylazoxymethanol acetate	592621	April 1, 1988	Niridazole	61574	April 1, 1988
Methyl carbamate	598550	May 15, 1998	Nitritotriacetic acid	139139	January 1, 1988
3-Methylcholanthrene	56495	January 1, 1990	Nitritotriacetic acid, tri- sodium salt mono- hydrate	18662538	April 1, 1989
5-Methylchrysene	3697243	April 1, 1988	5-Nitroacenaphthene	602879	April 1, 1988
4,4'-Methylene bis (2-chloroaniline)	101144	July 1, 1987	5-Nitro-o-anisidine	99592	October 1, 1989
			o-Nitroanisole	91236	October 1, 1992
			Nitrobenzene	98953	August 26, 1997
			4-Nitrobiphenyl	92933	April 1, 1988
			6-Nitrochrysene	7496028	October 1, 1990
			Nitrofen (technical grade)	1836755	January 1, 1988
			2-Nitrofluorene	607578	October 1, 1990
			Nitrofurazone	59870	January 1, 1990

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>	<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
1-[(5-Nitrofurfurylidene)-amino]- 2-imidazolidinone	555840	April 1, 1988	Phenolphthalein	77098	May 15, 1998
N-[4-(5-Nitro-2-furyl)-2- thiazolyl]acetamide	531828	April 1, 1988	Phenoxybenzamine	59961	April 1, 1988
Nitrogen mustard (Mechlorethamine)	51752	January 1, 1988	Phenoxybenzamine hydrochloride	63923	April 1, 1988
Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	55867	April 1, 1988	o-Phenylenediamine and its salts	95545	May 15, 1998
Nitrogen mustard N-oxide	126852	April 1, 1988	Phenyl glycidyl ether	122601	October 1, 1990
Nitrogen mustard N-oxide hydrochloride	302705	April 1, 1988	Phenylhydrazine and its salts	—	July 1, 1992
Nitromethane	75525	May 1, 1997	o-Phenylphenate, sodium	132274	January 1, 1990
2-Nitropropane	79469	January 1, 1988	o-Phenylphenol	90437	August 4, 2000
1-Nitropyrene	5522430	October 1, 1990	PhiP(2-Amino-1-methyl-6- phenylimidazol[4,5-b] pyridine)	105650235	October 1, 1994
4-Nitropyrene	57835924	October 1, 1990	Polybrominated biphenyls	—	January 1, 1988
N-Nitrosodi-n-butylamine	924163	October 1, 1987	Polychlorinated biphenyls	—	October 1, 1989
N-Nitrosodiethanolamine	1116547	January 1, 1988	Polychlorinated biphenyls (containing 60 or more percent chlorine by molecular weight)	—	January 1, 1988
N-Nitrosodiethylamine	55185	October 1, 1987	Polychlorinated dibenzo-p-dioxins	—	October 1, 1992
N-Nitrosodimethylamine	62759	October 1, 1987	Polychlorinated dibenzofurans	—	October 1, 1992
p-Nitrosodiphenylamine	156105	January 1, 1988	Polygeenan	53973981	January 1, 1988
N-Nitrosodiphenylamine	86306	April 1, 1988	Ponceau MX	3761533	April 1, 1988
N-Nitrosodi-n-propylamine	621647	January 1, 1988	Ponceau 3R	3564098	April 1, 1988
N-Nitroso-N-ethylurea	759739	October 1, 1987	Potassium bromate	7758012	January 1, 1990
3-(N-Nitrosomethylamino) propionitrile	60153493	April 1, 1990	Primidone	125337	August 20, 1999
4-(N-Nitrosomethylam- ino)-1-(3-pyridyl)1- butanone	64091914	April 1, 1990	Procarbazine	671169	January 1, 1988
N-Nitrosomethylethyl- amine	10595956	October 1, 1989	Procarbazine hydrochloride	366701	January 1, 1988
N-Nitroso-N-methylurea	684935	October 1, 1987	Procymidone	32809168	October 1, 1994
N-Nitroso-N-methylurethane	615532	April 1, 1988	Progesterone	57830	January 1, 1988
N-Nitrosomethylvinyl- amine	4549400	January 1, 1988	Pronamide	23950585	May 1, 1996
N-Nitrosomorpholine	59892	January 1, 1988	Propachlor	1918167	February 27, 2001
N-Nitrosornicotine	16543558	January 1, 1988	1,3-Propane sultone	1120714	January 1, 1988
N-Nitrosopiperidine	100754	January 1, 1988	Propargite	2312358	October 1, 1994
N-Nitrosopyrrolidine	930552	October 1, 1987	beta-Propiolactone	57578	January 1, 1988
N-Nitrososarcosine	13256229	January 1, 1988	Propylene oxide	75569	October 1, 1988
o-Nitrotoluene	88722	May 15, 1998	Propylthiouracil	51525	January 1, 1988
Norethisterone (Norethin- drone)	68224	October 1, 1989	Pyridine	110861	May 17, 2002
Norethynodrel	68235	February 27, 2001	Quinoline and its strong acid salts	—	October 24, 1997
Ochratoxin A	303479	July 1, 1990	Radionuclides	—	July 1, 1989
Oil Orange SS	2646175	April 1, 1988	Reserpine	50555	October 1, 1989
Oral contraceptives, combined	—	October 1, 1989	Residual (heavy) fuel oils	—	October 1, 1990
Oral contraceptives, sequential	—	October 1, 1989	<u>Riddelliine</u>	—	<u>December 3, 2004</u>
Oxadiazon	19666309	July 1, 1991	<u>Saccharin</u>		
Oxazepam	604751	October 1, 1994	<u>Delisted April 6, 2001</u>	81072	October 1, 1989
Oxymetholone	434071	January 1, 1988	<u>Saccharin, sodium</u>		
Oxythioquinox	2439012	August 20, 1999	<u>Delisted January 17, 2003</u>	128449	January 1, 1988
Palygorskite fibers (>5µm in length)	12174117	December 28, 1999	Safrole	94597	January 1, 1988
Panfuran S	794934	January 1, 1988	Salicylazosulfapyridine	599791	May 15, 1998
Pentachlorophenol	87865	January 1, 1990	Selenium sulfide	7446346	October 1, 1989
Phenacetin	62442	October 1, 1989	Shale-oils	68308349	April 1, 1990
Phenazopyridine	94780	January 1, 1988	Silica, crystalline (airborne particles of respirable size)	—	October 1, 1988
Phenazopyridine hydrochloride	136403	January 1, 1988	Soots, tars, and mineral oils (untreated and mildly treated oils and used engine oils)	—	February 27, 1987
Phenesterin	3546109	July 1, 1989			
Phenobarbital	50066	January 1, 1990			

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Spironolactone	52017	May 1, 1997
Stanozolol	10418038	May 1, 1997
Sterigmatocystin	10048132	April 1, 1988
Streptozotocin (streptozocin)	18883664	January 1, 1988
Strong inorganic acid mists containing sulfuric acid	—	March 14, 2003
Styrene oxide	96093	October 1, 1988
Sulfallate	95067	January 1, 1988
Talc containing asbestiform fibers	—	April 1, 1990
Tamoxifen and its salts	10540291	September 1, 1996
Terrazole	2593159	October 1, 1994
Testosterone and its esters	58220	April 1, 1988
2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)	1746016	January 1, 1988
1,1,2,2-Tetrachloroethane	79345	July 1, 1990
Tetrachloroethylene (Perchloroethylene)	127184	April 1, 1988
p-a,a,a-Tetrachloro-toluene	5216251	January 1, 1990
Tetrafluoroethylene	116143	May 1, 1997
Tetranitromethane	509148	July 1, 1990
Thioacetamide	62555	January 1, 1988
4,4'-Thiodianiline	139651	April 1, 1988
Thiodicarb	59669260	August 20, 1999
Thiourea	62566	January 1, 1988
Thorium dioxide	1314201	February 27, 1987
Tobacco, oral use of smokeless products	—	April 1, 1988
Tobacco smoke	—	April 1, 1988
Toluene diisocyanate	26471625	October 1, 1989
ortho-Toluidine	95534	January 1, 1988
ortho-Toluidine hydrochloride	636215	January 1, 1988
para-Toluidine	—	—
Delisted October 29, 1999	406490	January 1, 1990
Toxaphene (Polychlorinated camphenes)	8001352	January 1, 1988
Treosulfan	299752	February 27, 1987
Trichlormethine (Trimustine hydrochloride)	817094	January 1, 1992
Trichloroethylene	79016	April 1, 1988
2,4,6-Trichlorophenol	88062	January 1, 1988
1,2,3-Trichloropropane	96184	October 1, 1992
Trimethyl phosphate	512561	May 1, 1996
2,4,5-Trimethylaniline and its strong acid salts	—	October 24, 1997
Triphenyltin hydroxide	76879	July 1, 1992
Tris(aziridinyl)-para-benzoquinone (Triaziquone)	68768	October 1, 1989
Tris(1-aziridinyl)phosphine sulfide (Thiotepa)	52244	January 1, 1988
Tris(2-chloroethyl) phosphate	115968	April 1, 1992
Tris(2,3-dibromopropyl)phosphate	126727	January 1, 1988
Trp-P-1 (Tryptophan-P-1)	62450060	April 1, 1988
Trp-P-2 (Tryptophan-P-2)	62450071	April 1, 1988
Trypan blue (commercial grade)	72571	October 1, 1989
Unleaded gasoline (wholly vaporized)	—	April 1, 1988
Uracil mustard	66751	April 1, 1988
Urethane (Ethyl carbamate)	51796	January 1, 1988

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Vinclozolin	50471448	August 20, 1999
Vinyl bromide	593602	October 1, 1988
Vinyl chloride	75014	February 27, 1987
4-Vinylcyclohexene	100403	May 1, 1996
4-Vinyl-1-cyclohexene diepoxide (Vinyl cyclohexene dioxide)	106876	July 1, 1990
Vinyl fluoride	75025	May 1, 1997
Vinyl trichloride (1,1,2-Trichloroethane)	79005	October 1, 1990
2,6-Xylidine (2,6-Dimethylaniline)	87627	January 1, 1991
Zileuton	111406872	December 22, 2000
Zineb	12122677	January 1, 1990
Delisted October 29, 1999		

CHEMICALS KNOWN TO THE STATE TO CAUSE REPRODUCTIVE TOXICITY

<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>
Acetazolamide	developmental	59665	August 20, 1999
Acetohydroxamic acid	developmental	546883	April 1, 1990
Actinomycin D	developmental	50760	October 1, 1992
All-trans retinoic acid	developmental	302794	January 1, 1989
Alprazolam	developmental	28981977	July 1, 1990
Altretamine	developmental, male	645056	August 20, 1999
Amantadine hydrochloride	developmental	665667	February 27, 2001
Amikacin sulfate	developmental	39831555	July 1, 1990
Aminoglutethimide	developmental	125848	July 1, 1990
Aminoglycosides	developmental	—	October 1, 1992
Aminopterin	developmental, female	54626	July 1, 1987
Amiodarone hydrochloride	developmental, female, male	19774824	August 26, 1997
Amitraz	developmental	33089611	March 30, 1999
Amoxapine	developmental	14028445	May 15, 1998
Anabolic steroids	female, male	—	April 1, 1990
Angiotensin converting enzyme (ACE) inhibitors	developmental	—	October 1, 1992
Anisindione	developmental	117373	October 1, 1992
Arsenic (inorganic oxides)	developmental	—	May 1, 1997
Aspirin (NOTE: It is especially important not to use aspirin during the last three months of pregnancy, unless specifically directed to do so by a physician because it may cause problems in the unborn child or complications during delivery.)	developmental, female	50782	July 1, 1990
Atenolol	developmental	29122687	August 26, 1997
Auranofin	developmental	34031328	January 29, 1999
Azathioprine	developmental	446866	September 1, 1996
Barbiturates	developmental	—	October 1, 1992
Beclomethasone dipropionate	developmental	5534098	May 15, 1998
Benomyl	developmental, male	17804352	July 1, 1991
Benzene	developmental, male	71432	December 26, 1997
Benzodiazepines	developmental	—	October 1, 1992
Benzphetamine hydrochloride	developmental	5411223	April 1, 1990
Bischloroethyl nitrosourea (BCNU) (Carmustine)	developmental	154938	July 1, 1990
Bromacil lithium salt	developmental, male	53404196	May 18, 1999 January 17, 2003

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<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>	<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>
1-Bromopropane	developmental, female, male	106945	December 7, 2004	Di(2-ethylhexyl)phthalate (DEHP)	developmental, male	117817	October 24, 2003
Bromoxynil	developmental	1689845	October 1, 1990	Diethylstilbestrol (DES)	developmental	56531	July 1, 1987
Bromoxynil octanoate	developmental	1689992	May 18, 1999	Diffunisal	developmental, female	22494424	January 29, 1999
Butabarbital sodium	developmental	143817	October 1, 1992	Dihydroergotamine mesylate	developmental	6190392	May 1, 1997
1,3-Butadiene	developmental, female, male	106990	April 16, 2004	Diltiazem hydrochloride	developmental	33286225	February 27, 2001
1,4-Butanediol dimethane-sulfonate (Busulfan)	developmental	55981	January 1, 1989	<i>m</i> -Dinitrobenzene	male	99650	July 1, 1990
Cadmium	developmental, male	—	May 1, 1997	<i>o</i> -Dinitrobenzene	male	528290	July 1, 1990
Carbamazepine	developmental	298464	January 29, 1999	<i>p</i> -Dinitrobenzene	male	100254	July 1, 1990
Carbon disulfide	developmental, female, male	75150	July 1, 1989	2,4-Dinitrotoluene	male	121142	August 20, 1999
Carbon monoxide	developmental	630080	July 1, 1989	2,6-Dinitrotoluene	male	606202	August 20, 1999
Carboplatin	developmental	41575944	July 1, 1990	Dinitrotoluene (technical grade)	female, male	—	August 20, 1999
Chenodiol	developmental	474259	April 1, 1990	Dinocap	developmental	39300453	April 1, 1990
Chinomethionat (Oxythioquinox)	developmental	2439012	November 6, 1998	Dinoseb	developmental, male	88857	January 1, 1989
Chlorambucil	developmental	305033	January 1, 1989	Diphenylhydantoin (Phenytoin)	developmental	57410	July 1, 1987
Chlorcyclizine hydrochloride	developmental	1620219	July 1, 1987	Disodium cyanodithio- imidocarbonate	developmental	138932	March 30, 1999
Chlordecone (Kepone)	developmental	143500	January 1, 1989	Doxorubicin hydrochloride	developmental, male	23214928	January 29, 1999
Chlordiazepoxide	developmental	58253	January 1, 1992	Doxycycline (internal use)	developmental	564250	July 1, 1990
Chlordiazepoxide hydrochloride	developmental	438415	January 1, 1992	Doxycycline calcium (internal use)	developmental	94088854	January 1, 1992
1-(2-Chloroethyl)-3- cyclohexyl-1-nitrosourea (CCNU) (Lomustine)	developmental	13010474	July 1, 1990	Doxycycline hyclate (internal use)	developmental	24390145	October 1, 1991
Chlorsulfuron	developmental, female, male	64902723	May 14, 1999	Doxycycline monohydrate (internal use)	developmental	17086281	October 1, 1991
Cidofovir	developmental, female, male	113852372	January 29, 1999	Endrin	developmental	72208	May 15, 1998
Cladribine	developmental	4291638	September 1, 1996	Epichlorohydrin	male	106898	September 1, 1996
Clarithromycin	developmental	81103119	May 1, 1997	Ergotamine tartrate	developmental	379793	April 1, 1990
Clobetasol propionate	developmental, female	25122467	May 15, 1998	Estropipate	developmental	7280377	August 26, 1997
Clomiphene citrate	developmental	50419	April 1, 1990	Ethionamide	developmental	536334	August 26, 1997
Clorazepate dipotassium	developmental	57109907	October 1, 1992	Ethyl alcohol in alcoholic beverages	developmental	—	October 1, 1987
Cocaine	developmental, female	50362	July 1, 1989	Ethyl dipropylthiocarbamate	developmental	759944	April 27, 1999
Codeine phosphate	developmental	52288	May 15, 1998	Ethylene dibromide	developmental, male	106934	May 15, 1998
Colchicine	developmental, male	64868	October 1, 1992	Ethylene glycol monoethyl ether	developmental, male	110805	January 1, 1989
Conjugated estrogens	developmental	—	April 1, 1990	Ethylene glycol monomethyl ether	developmental, male	109864	January 1, 1989
Cyanazine	developmental	21725462	April 1, 1990	Ethylene glycol monoethyl ether acetate	developmental, male	111159	January 1, 1993
Cycloate	developmental	1134232	March 19, 1999	Ethylene glycol monomethyl ether acetate	developmental, male	110496	January 1, 1993
Cyclohexanol Delisted January 25, 2002	male	108930	November 6, 1998	Ethylene oxide	female	75218	February 27, 1987
Cycloheximide	developmental	66819	January 1, 1989	Ethylene thiourea	developmental	96457	January 1, 1993
Cyclophosphamide (anhydrous)	developmental, female, male	50180	January 1, 1989	Etodolac	developmental, female	41340254	August 20, 1999
Cyclophosphamide (hydrated)	developmental, female, male	6055192	January 1, 1989	Etoposide	developmental	33419420	July 1, 1990
Cyhexatin	developmental	13121705	January 1, 1989	Etretinate	developmental	54350480	July 1, 1987
Cytarabine	developmental	147944	January 1, 1989	Fenoxaprop ethyl	developmental	66441234	March 26, 1999
Dacarbazine	developmental	4342034	January 29, 1999	Filgrastim	developmental	121181531	February 27, 2001
Danazol	developmental	17230885	April 1, 1990	Fluazifop butyl	developmental	69806504	November 6, 1998
Daunorubicin hydrochloride	developmental	23541506	July 1, 1990	Flunisolide	developmental, female	3385033	May 15, 1998
2,4-D butyric acid	developmental, male	94826	June 18, 1999	Fluorouracil	developmental	51218	January 1, 1989
<i>o,p'</i> -DDT	developmental, female, male	789026	May 15, 1998	Fluoxymesterone	developmental	76437	April 1, 1990
<i>p,p'</i> -DDT	developmental, female, male	50293	May 15, 1998	Flurazepam hydrochloride	developmental	1172185	October 1, 1992
2,4-DP (dichloroprop) Delisted January 25, 2002	developmental	120365	April 27, 1999	Flurbiprofen	developmental, female	5104494	August 20, 1999
Demeclocycline hydrochloride (internal use)	developmental	64733	January 1, 1992	Flutamide	developmental	13311847	July 1, 1990
Diazepam	developmental	439145	January 1, 1992	Fluticasone propionate	developmental	80474142	May 15, 1998
Diazoxide	developmental	364987	February 27, 2001	Fluvalinate	developmental	69409945	November 6, 1998
1,2-Dibromo-3- chloropropane (DBCP)	male	96128	February 27, 1987	Ganciclovir sodium	developmental, male	82410320	August 26, 1997
Dichlorophene	developmental	97234	April 27, 1999	Gemfibrozil	female, male	25812300	August 20, 1999
Dichlorophenamide	developmental	120978	February 27, 2001	Goserelin acetate	developmental, female, male	65807025	August 26, 1997
Diclofop methyl	developmental	51338273	March 5, 1999	Halazepam	developmental	23092173	July 1, 1990
Dicumarol	developmental	66762	October 1, 1992	Halobetasol propionate	developmental	66852548	August 20, 1999
				Haloperidol	developmental, female	52868	January 29, 1999

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<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>	<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>
Halothane	developmental	151677	September 1, 1996	Norethisterone (Norethindrone)/Ethinyl estradiol	developmental	68224/57636	April 1, 1990
Heptachlor	developmental	76448	August 20, 1999	Norethisterone (Norethindrone)/Mestranol	developmental	68224/72333	April 1, 1990
Hexachlorobenzene	developmental	118741	January 1, 1989	Norgestrel	developmental	6533002	April 1, 1990
Hexamethylphosphoramide	male	680319	October 1, 1994	Oxadiazon	developmental	19666309	May 15, 1998
Histrelin acetate	developmental	—	May 15, 1998	Oxazepam	developmental	604751	October 1, 1992
Hydramethylnon	developmental, male	67485294	March 5, 1999	Oxydemeton methyl	female, male	301122	November 6, 1998
Hydroxyurea	developmental	127071	May 1, 1997	Oxymetholone	developmental	434071	May 1, 1997
Idarubicin hydrochloride	developmental, male	57852570	August 20, 1999	Oxytetracycline (internal use)	developmental	79572	January 1, 1991
Ifosfamide	developmental	3778732	July 1, 1990	Oxytetracycline hydrochloride (internal use)	developmental	2058460	October 1, 1991
Iodine-131	developmental	10043660	January 1, 1989	Paclitaxel	developmental, female, male	33069624	August 26, 1997
Isotretinoin	developmental	4759482	July 1, 1987	Paramethadione	developmental	115673	July 1, 1990
Lead	developmental, female, male	—	February 27, 1987	Penicillamine	developmental	52675	January 1, 1991
Leuprolide acetate	developmental, female, male	74381536	August 26, 1997	Pentobarbital sodium	developmental	57330	July 1, 1990
Levodopa	developmental	59927	January 29, 1999	Pentostatin	developmental	53910251	September 1, 1996
Levonorgestrel implants	female	797637	May 15, 1998	Phenacemide	developmental	63989	July 1, 1990
Linuron	developmental	330552	March 19, 1999	Phenprocoumon	developmental	435972	October 1, 1992
Lithium carbonate	developmental	554132	January 1, 1991	Pimozide	developmental, female	2062784	August 20, 1999
Lithium citrate	developmental	919164	January 1, 1991	Pipobroman	developmental	54911	July 1, 1990
Lorazepam	developmental	846491	July 1, 1990	Plicamycin	developmental	18378897	April 1, 1990
Lovastatin	developmental	75330755	October 1, 1992	Polybrominated biphenyls	developmental	—	October 1, 1994
Mebendazole	developmental	31431397	August 20, 1999	Polychlorinated biphenyls	developmental	—	January 1, 1991
Medroxyprogesterone acetate	developmental	71589	April 1, 1990	Potassium dimethyldithiocarbamate	developmental	128030	March 30, 1999
Megestrol acetate	developmental	595335	January 1, 1991	Pravastatin sodium	developmental	81131706	March 3, 2000
Melphalan	developmental	148823	July 1, 1990	Prednisolone sodium phosphate	developmental	125020	August 20, 1999
Menotropins	developmental	9002680	April 1, 1990	Procarbazine hydrochloride	developmental	366701	July 1, 1990
Meproamate	developmental	57534	January 1, 1992	Propargite	developmental	2312358	June 15, 1999
Mercaptopurine	developmental	6112761	July 1, 1990	Propylthiouracil	developmental	51525	July 1, 1990
Mercury and mercury compounds	developmental	—	July 1, 1990	Pyrimethamine	developmental	58140	January 29, 1999
Methacycline hydrochloride	developmental	3963959	January 1, 1991	Quazepam	developmental	36735225	August 26, 1997
Metham sodium	developmental	137428	May 15, 1998	Quizalofop-ethyl	male	76578148	December 24, 1999
Methazole	developmental	20354261	December 1, 1999	Resmethrin	developmental	10453868	November 6, 1998
Methimazole	developmental	60560	July 1, 1990	Retinol/retinyl esters, when in daily dosages in excess of 10,000 IU, or 3,000 retinol equivalents. (NOTE: Retinol/retinyl esters are required and essential for maintenance of normal reproductive function. The recommended daily level during pregnancy is 8,000 IU.)	developmental	—	July 1, 1989
Methotrexate	developmental	59052	January 1, 1989	Ribavirin	developmental, male	36791045	April 1, 1990
Methotrexate sodium	developmental	15475566	April 1, 1990	Rifampin	developmental, female	36791045	February 27, 2001
Methyl bromide as a structural fumigant	developmental	74839	January 1, 1993	Secobarbital sodium	developmental	309433	October 1, 1992
Methyl chloride	developmental	74873	March 10, 2000	Sermorelin acetate	developmental	—	August 20, 1999
Methyl mercury	developmental	—	July 1, 1987	Sodium dimethyldithiocarbamate	developmental	128041	March 30, 1999
N-Methylpyrrolidone	developmental	872504	June 15, 2001	Sodium fluoroacetate	male	62748	November 6, 1998
Methyltestosterone	developmental	58184	April 1, 1990	Streptomycin sulfate	developmental	3810740	January 1, 1991
Metiram	developmental	9006422	March 30, 1999	Streptozocin (streptozotocin)	developmental, female, male	18883664	August 20, 1999
Midazolam hydrochloride	developmental	59467968	July 1, 1990	Sulfasalazine	male	599791	January 29, 1999
Minocycline hydrochloride (internal use)	developmental	13614987	January 1, 1992	Sulindac	developmental, female	38194502	January 29, 1999
Misoprostol	developmental	59122462	April 1, 1990	Tamoxifen citrate	developmental	54965241	July 1, 1990
Mitoxantrone hydrochloride	developmental	70476823	July 1, 1990	Temazepam	developmental	846504	April 1, 1990
Myclobutanil	developmental, male	88671890	April 16, 1999	Teniposide	developmental	29767202	September 1, 1996
Nabam	developmental	142596	March 30, 1999	Terbacil	developmental	5902512	May 18, 1999
Nafarelin acetate	developmental	86220420	April 1, 1990	Testosterone cypionate	developmental	58208	October 1, 1991
Neomycin sulfate (internal use)	developmental	1405103	October 1, 1992	Testosterone enanthate	developmental	315377	April 1, 1990
Netilmicin sulfate	developmental	56391572	July 1, 1990				
Nickel carbonyl	developmental	13463393	September 1, 1996				
Nicotine	developmental	54115	April 1, 1990				
Nifedipine	developmental, female, male	21829254	January 29, 1999				
Nimodipine	developmental	66085594	April 24, 2001				
Nitrapyrin	developmental	1929824	March 30, 1999				
Nitrofurantoin	male	67209	April 1, 1991				
Nitrogen mustard (Mechlorethamine)	developmental	51752	January 1, 1989				
Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	developmental	55867	July 1, 1990				
Norethisterone (Norethindrone)	developmental	68224	April 1, 1990				
Norethisterone acetate (Norethindrone acetate)	developmental	51989	October 1, 1991				

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2,3,7,8-Tetrachlorodibenzo- paradoxin (TCDD)	developmental	1746016	April 1, 1991
Tetracycline (internal use)	developmental	60548	October 1, 1991
Tetracyclines (internal use)	developmental	—	October 1, 1992
Tetracycline hydrochloride (internal use)	developmental	64755	January 1, 1991
Thalidomide	developmental	50351	July 1, 1987
Thioguanine	developmental	154427	July 1, 1990
Thiophanate methyl	female, male	23564058	May 18, 1999
Tobacco smoke (primary)	developmental, female, male	—	April 1, 1988
Tobramycin sulfate	developmental	49842071	July 1, 1990
Toluene	developmental	108883	January 1, 1991
Triadimefon	developmental, female, male	43121433	March 30, 1999
Triazolam	developmental	28911015	April 1, 1990
Tributyltin methacrylate	developmental	2155706	December 1, 1999
Trientine hydrochloride	developmental	38260014	February 27, 2001
Triforine	developmental	26644462	June 18, 1999
Trilostane	developmental	13647353	April 1, 1990
Trimethadione	developmental	127480	January 1, 1991
Trimetrexate glucuronate	developmental	82952645	August 26, 1997
Triphenyltin hydroxide	developmental	76879	March 18, 2002
Uracil mustard	developmental, female, male	66751	January 1, 1992
Urethane	developmental	51796	October 1, 1994
Urofollitropin	developmental	97048130	April 1, 1990
Valproate (Valproic acid)	developmental	99661	July 1, 1987
Vinblastine sulfate	developmental	143679	July 1, 1990
Vinclozolin	developmental	50471448	May 15, 1998
Vincristine sulfate	developmental	2068782	July 1, 1990
Warfarin	developmental	81812	July 1, 1987
Zileuton	developmental, female	111406872	December 22, 2000

Date: December 3, 2004

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

BOARD OF EQUALIZATION

Change in Ownership—Governmental Action or Eminent Domain Proceedings

In this regulatory action, the Board of Equalization amends a property tax regulation pertaining to change in ownership of real property acquired to replace property taken by governmental action or eminent domain proceedings.

Title 18

California Code of Regulations

AMEND: 462.500

Filed 11/18/04

Effective 12/18/04

Agency Contact: Diane G. Olson (916) 322-9569

BOARD OF OCCUPATIONAL THERAPY

Disciplinary Guidelines

This rulemaking action adopts disciplinary guidelines for the Board's use in reaching a decision on a disciplinary action under the administrative adjudication provisions of the Administrative Procedure Act. The action also requires probationers to submit and cause each health care employer to submit quarterly reports to the Board.

Title 16

California Code of Regulations

ADOPT: 4144

Filed 11/22/04

Effective 12/22/04

Agency Contact: Janet Yagi (916) 322-3278

CAL-PERS

Member Home Loan Program

This action increases the permissible maximum loan-to-value ratio for some CalPERS member home loans to 100 percent pursuant to the provisions of A.B. 475 (Chap. 97, Stats. 2003).

Title 2

California Code of Regulations

AMEND: 561, 561.1, 561.2, 561.4, 561.5, 561.6, 561.7, 561.8, 561.9, 561.10, 561.11, 561.12, 561.13, 561.14

Filed 11/18/04

Effective 12/18/04

Agency Contact: Marilyn Clark (916) 326-3007

DEPARTMENT OF FOOD AND AGRICULTURE

Market Enforcement: Alternate Dispute Resolutions

Existing section 1703.3 of title 3 provides that upon request of the parties the Department shall refer unsettled cases between growers and licensed handlers to the American Arbitration Association (AAA) for dispute resolution. This regulatory action would require the Department to instead provide the parties with a list of acceptable alternative dispute resolution entities from which they can select an entity of their own choosing.

Title 3

California Code of Regulations

AMEND: 1703.3

Filed 11/17/04

Effective 12/17/04

Agency Contact:

Agathy d'Esterhazy

(916) 341-6276

DEPARTMENT OF INSURANCE
Residential Property Insurance Rating and Underwriting

This regulatory action is the readoption of the emergency regulation that dealt with Residential Property Insurance Rating and Underwriting. (Prior OAL Files 03-0710-03E, 03-1110-02EE, 04-0303-01EE, 04-0702-02EE; Department of Insurance file ER 04041299.)

Title 10
California Code of Regulations
ADOPT: 2361
Filed 11/19/04
Effective 11/19/04
Agency Contact:
Donald P. Hilla (415) 538-4108

DEPARTMENT OF TRANSPORTATION**Outdoor Advertising**

This regulatory action amends the provisions dealing with permits for outdoor advertising.

Title 4
California Code of Regulations
ADOPT: 2444 AMEND: 2241, 2242, 2243, 2245, 2250, 2270, 2271, 2272, 2300, 2401, 2422, 2423, 2424, 2425, 2426, 2441, 2442, 2443, 2505, 2507, 2511, 2512
Filed 11/23/04
Effective 12/23/04
Agency Contact: James Arbis (916) 654-6413

ELECTRICITY OVERSIGHT BOARD**Conflict of Interest Code**

This is a Conflict of Interest Code that has been approved by the Fair Political Practices Commission and is being submitted for filing with the Secretary of State and printing only.

Title 2
California Code of Regulations
AMEND: 58700
Filed 11/22/04
Effective 11/22/04
Agency Contact: Kenneth L. Glick

FISH AND GAME COMMISSION**Xantus's Murrelet**

This rulemaking action lists the Xantus's Murrelet as a threatened species under the California Endangered Species Act, and repeals provisions on incidental take of Xantus's Murrelet during candidacy period. The murrelet is known to nest only on 12 islands along 500 miles of coastline, from the Channel Islands of southern California to small islands along the west coast of Baja California, Mexico.

Title 14
California Code of Regulations
AMEND: 670.5

Filed 11/22/04
Effective 12/22/04
Agency Contact: Tracy L. Reed (916) 653-4899

FRANCHISE TAX BOARD**Penalty for Failure to File Return Upon Notice and Demand**

This regulatory action establishes the circumstances under which the Franchise Tax Board will impose a penalty when a taxpayer does not file a return after the Board has issued a notice and demand.

Title 18
California Code of Regulations
ADOPT: 19133
Filed 11/23/04
Effective 12/23/04
Agency Contact:
Colleen Berwick (916) 845-3306

STATE ALLOCATION BOARD**State School Deferred Maintenance Program—Lead**

In this regulatory action, the State Allocation Board amends regulations relating to its State School Deferred Maintenance Program, a program which provides State matching funds to assist school districts with expenditures for major repair or replacement of existing school building components.

Title 2
California Code of Regulations
AMEND: 1866, 1866.1, 1866.2, 1866.4, 1866.4.1, 1866.4.2, 1866.4.3, 1866.5, 1866.5.1, 1866.7, 1866.13
Filed 11/24/04
Effective 11/24/04
Agency Contact: Lisa Jones (916) 322-1043

STATE WATER RESOURCES CONTROL BOARD**Solar Evaporations**

These emergency regulations, which pursuant to Health and Safety Code section 25209.16 remain in effect until revised by the State Water Resources Control Board, establish design, construction, operation, and closure requirements for solar evaporators into which agricultural drainage waters for Integrated On-Farm Drainage Management System are discharged as required by Health and Safety Code section 25209.12. The new regulations are primarily designed to implement the statutory "no standing water" provision to limit the potential for growth of brine flies that could result in biomagnification of selenium in a food chain and its consequential impact on wildlife. The Integrated On-Farm Drainage Management Systems are one major component of a comprehensive agricultural drainage management plan to address the impact of poor quality shallow groundwater on now almost one million acres of agricultural land on the Westside of the San Joaquin Valley.

Title 28
 California Code of Regulations
 ADOPT: 22900, 22910, 22920, 22930, 22940,
 22950
 Filed 11/22/04
 Effective 11/22/04
 Agency Contact: Wayne Verrill (916) 341-5585

**CCR CHANGES FILED WITH THE
 SECRETARY OF STATE
 WITHIN JULY 7, 2004
 TO NOVEMBER 24, 2004**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulation's titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 1

10/13/04 ADOPT: 1015, 1019, 1048, 1050
 AMEND: 1000, 1002, 1004, 1006, 1008,
 1012, 1014, 1016, 1018, 1020, 1022,
 1024, 1026, 1027, 1028, 1030, 1032,
 1034, 1038, 1040, 1042, 1044, 1046
 08/12/04 ADOPT: 1396 AMEND: 1314, 1321,
 1323, 1324, 1334, 1354, 1390, 1392,
 REPEAL: 1332

Title 2

11/24/04 AMEND: 1866, 1866.1, 1866.2, 1866.4,
 1866.4.1, 1866.4.2, 1866.4.3, 1866.5,
 1866.5.1, 1866.7, 1866.13
 11/22/04 AMEND: 58700
 11/18/04 AMEND: 561, 561.1, 561.2, 561.4, 561.5,
 561.6, 561.7, 561.8, 561.9, 561.10,
 561.11, 561.12, 561.13, 561.14
 11/10/04 ADOPT: 1859.163.1, 1859.163.2,
 1859.163.3, 1859.164.2, 1859.167.1
 AMEND: 1859.2, 1859.145, 1859.145.1,
 189.160, 1859.161, 1859.162, 1859.163,
 1859.164, 1859.164.1, 1859.165,
 1859.166, 1859.167, 1859.168, 1859.171
 11/09/04 AMEND: 18530.8
 11/04/04 AMEND: 1859.71.2, 1859.78.4
 11/02/04 AMEND: 1859.51, 1859.105
 11/02/04 ADOPT: 1859.123.1 AMEND: 1859.2,
 1859.73.1, 1859.81, 1859.83, 1859.90,
 1859.120, 1859.121, 1859.122,
 1859.122.1, 1859.122.2, 1859.123,
 1859.124, 1859.124.1, 1859.125,
 1859.125.1, 1859.126, 1859.127,
 1859.129, 1859.130

10/26/04 ADOPT: 18361.1, 18361.2, 18361.3,
 18361.4, 18361.5, 18361.6, 18361.7,
 18361.8, AMEND: 18361.5, 18406,
 18450.4, 18702.2, 18702.5, 18740,
 18747, 18754, 18951 REPEAL: 18361
 09/29/04 ADOPT: 20107
 09/23/04 ADOPT: 588, 588.1, 588.2, 588.3, 588.4,
 588.5, 588.6, 588.7, 588.8, 588.9,
 588.10
 09/23/04 AMEND: 18401, 18421.1
 09/15/04 ADOPT: 599.511 AMEND: 599.500(t)
 09/10/04 AMEND: 54300
 09/09/04 AMEND: 18704.2
 08/31/04 ADOPT: 599.517
 08/20/04 ADOPT: 586, 586.1, 586.2
 08/10/04 ADOPT: 1896, 1896.2, 1896.4, 1896.6,
 1896.10, 1896.12, 1896.14, 1896.16,
 1896.18, 1896.20, 1896.22 REPEAL:
 1896, 1896.2, 1896.4, 1896.6, 1896.8,
 1896.10, 1896.12, 1896.14, 1896.16,
 1896.18, 1896.20
 08/09/04 ADOPT: 1859.77.3 AMEND: 1859.2,
 1859.77.2
 08/09/04 AMEND: 599.508
 08/04/04 AMEND: 599.515(e)
 07/30/04 ADOPT: 18531.10
 07/28/04 ADOPT: 1172.90, 1172.92
 07/27/04 AMEND: 18404.1
 07/26/04 ADOPT: 18530.9 AMEND: 18531.5
 07/22/04 ADOPT: 1859.51.1, 1859.70.2 AMEND:
 1859.2, 1859.51, 1859.70, 1859.103

Title 3

11/17/04 AMEND: 1703.3
 11/16/04 AMEND: Subchapter 1.1
 11/10/04 AMEND: 3601(g)
 11/03/04 ADOPT: 6450, 6450.1, 6450.2, 6450.3,
 6784 AMEND: 6000, REPEAL: 6450,
 6450.1, 6450.2, 6250.3, 6784
 10/25/04 AMEND: 3700(c)
 10/14/04 AMEND: 3423(b)
 10/13/04 AMEND: 3700(b)
 10/06/04 ADOPT: 2042, 2100, 2101, 2102
 10/06/04 AMEND: 3877(a), 3883, 3885(a)(b),
 4603(f) REPEAL: 3902
 10/04/04 AMEND: 1280.2
 09/22/04 AMEND: 3430(b)
 09/20/04 AMEND: 3700
 09/09/04 AMEND: 6502
 09/08/04 AMEND: 3423(b)
 09/08/04 ADOPT: 6450, 6450.1, 6450.2, 6450.3,
 6784 AMEND: 6000 REPEAL: 6450,
 6450.1, 6450.2, 6450.3, 6784
 09/02/04 AMEND: 3700(b)(c)
 08/19/04 AMEND: 3700(c)

08/10/04 ADOPT: 1472.8 AMEND: 1472.5
 08/05/04 AMEND: 3962(a)
 07/09/04 AMEND: 3423(b)

Title 4

11/23/04 ADOPT: 2444 AMEND: 2241, 2242, 2243, 2245, 2250, 2270, 2271, 2272, 2300, 2401, 2422, 2423, 2424, 2425, 2426, 2441, 2442, 2443, 2505, 2507, 2511, 2512
 11/08/04 ADOPT: 12360, 12370
 10/18/04 ADOPT: 12270, 12271, 12272
 10/14/04 AMEND: 1402, 1471, 2056, 2101, 2102, 2103
 10/13/04 AMEND: 1371
 09/23/04 ADOPT: 144
 09/20/04 AMEND: 12101, 12122, 12250
 08/17/04 ADOPT: 12400, 12401, 12402, 12403, 12404, 12405, 12406
 07/19/04 ADOPT: 10163, 10164 AMEND: 10152, 10153, 10154, 10155, 10156, 10157, 10158, 10159, 10160, 10161, 10162
 07/19/04 ADOPT: 4147, 4148
 07/19/04 ADOPT: 10300, 10302, 10305, 10310, 10315, 10317, 10320, 10322, 10325, 10326, 10327, 10328, 10330, 10335, 10337 AMEND: 10325(b), 10325(B)(1), 10325(c)(2)(B), 10325(c)(12), 10325(d)(1)

Title 5

11/16/04 ADOPT: 80089.3, 80089.4
 11/15/04 ADOPT: 6116, 6126 AMEND: 6100, 6115, 6125
 11/09/04 ADOPT: 14105
 11/04/04 AMEND: 11981, 11985
 11/02/04 AMEND: 58311, 58316
 09/30/04 ADOPT: 19814.1, 19832, 19833, 19834, 19835, 19837, 19837 AMEND: 19814
 09/22/04 AMEND: 11530
 09/14/04 AMEND: 58310, 58312, 58314
 09/08/04 ADOPT: 58139
 09/03/04 AMEND: 40000, 40050, 40650, 40900, 41302, 41304, 41901.5, 42501, 43000
 09/02/04 ADOPT: 40402.1, 40405, 40405.1, 40405.2, 40405.3, 40405.4, 40901, 41301, 41906, 41910, 42728. AMEND: 40500, 40501, 40503, 40505, 40506, 41600, 41601, 42395, 42705, 43600, 43601, 43602, 43603, 43604, 43660, 43661, 43662, 43663, 43664, 43665, 43666
 08/09/04 AMEND: 590, 591, 592, 593, 594, 595, 596
 07/30/04 ADOPT: 58317
 07/19/04 ADOPT: 40530, 40531, 40532 AMEND: 40651, 40803, 40803.1

Title 8

11/09/04 AMEND: 6777
 11/03/04 AMEND: 1541(l)(1)
 11/03/04 AMEND: 15220, 15220.1, 15220.3, 15220.4
 11/01/04 ADOPT: 9767.1, 9767.2, 9767.3, 9767.4, 9767.5, 9767.6, 9767.7, 9767.8, 9767.9, 9767.10, 9767.11, 9767.12, 9767.13, 9767.14
 10/19/04 ADOPT: 16421, 16422, 16423, 16424 AMEND: 16425, 16426, 16427, 16428, 16429, 16431, 16432, 16433, 16434, 16435, 16436, 16437, 16438, 16439 REPEAL: 16430, 16435.5
 10/07/04 AMEND: 3456
 10/07/04 AMEND: 5144
 10/06/04 AMEND: 344.30
 10/04/04 AMEND: 5155
 10/04/04 ADOPT: 10202, 10102.1, 10203.1, 10203.2 AMEND: 10200, 10201, 10203, 10204
 10/01/04 AMEND: 5155
 10/01/04 ADOPT: 3241.1
 09/30/04 AMEND: 3381
 08/30/04 ADOPT: 32032, 32033, 32034, 32035, 81000, 81005, 81010, 81020, 81030, 81040, 81050, 81055, 81060, 81065, 81070, 81075, 81080, 81090, 81100, 81105, 81110, 81115, 81120, 81125, 81130, 81135, 81140, 81145, 81150, 81155, 81160, 81165, 81170, 81175, 81180, 81
 08/27/04 AMEND: 3657
 08/26/04 AMEND: 3427
 08/02/04 AMEND: 6283(a)
 07/29/04 ADOPT: 232.01, 232.02, 232.03, 232.04, 232.05, 232.06, 232.07, 232.08, 232.09, 232.10, 232.11, 232.12, 232.20, 232.21, 232.22, 232.23, 232.24, 232.25, 232.26, 232.27, 232.28, 232.29, 232.30, 232.31, 232.32, 232.33, 232.34, 232.35, 232.36, 232.37, 232.40,
 07/20/04 AMEND: 5147
 07/13/04 AMEND: 1523
 07/07/04 AMEND: 1716.2
 07/07/04 AMEND: 3301
 07/07/04 ADOPT: 9881.1, 10117.1, 10118.1 AMEND: 9810, 9880, 9881, 9883 REPEAL: 9882, 10117, 10118
 07/07/04 AMEND: 1632, 3212

Title 9

10/28/04 AMEND: 9525
 09/01/04 ADOPT: 9807, 9822, 9834, 9836 AMEND: 9800, 9802, 9878 REPEAL: 9830, 9834, 9836

Title 10

11/19/04 ADOPT: 2361
 10/27/04 AMEND: 260.102.14
 10/26/04 AMEND: 2498.4.9, 2498.5
 10/04/04 AMEND: 2632.13(e)
 09/22/04 AMEND: 2731
 09/16/04 AMEND: 2318.6, 2353.1
 09/15/04 AMEND: 2695.8(b)
 09/01/04 AMEND: 2698.30, 2698.31, 2698.32, 2698.33, 2698.34, 2698.35, 2698.36, 2697.37, 2698.38, 2698.39, 2698.40, 2698.41, 2698.42
 08/31/04 ADOPT: 2698.95
 08/26/04 AMEND: 2498.3
 08/26/04 AMEND: 2498.5
 08/26/04 AMEND: 2498.5
 08/25/04 ADOPT: 2498.4.9 REPEAL: 2400, 2401, 2403, 2404, 2405, 2406, 2407, 2408, 2420, 2421, 2421.1a, 2421.2, 2421.3, 2421.4, 2421.5, 2421.6, 2421.8, 2421.9, 2421.10, 2422, 2430, 2431, 2431.1, 2431.2, 2431.3, 2432, 2441, 2442, 2443, 2443.1, 2444, 2444.5, 2444.6
 08/24/04 AMEND: 2498.6
 08/04/04 ADOPT: 2695.1, 2695.2, 2695.4, 2695.7, 2695.8, 2695.85, 2695.9, 2695.10, 2695.12 REPEAL: 2695.1, 2695.2, 2695.4, 2695.7, 2695.8, 2695.85, 2695.9, 2695.10, 2695.12, 2695.14
 07/29/04 AMEND: 2498.6
 07/29/04 ADOPT: 2192.1, 2192.2, 2192.3, 2192.4, 2192.5, 2192.6, 2192.7, 2192.8, 2192.9, 2192.10, 2192.11, 2192.12
 07/12/04 ADOPT: 2361
 07/07/04 ADOPT: 2194, 2194.1, 2194.2, 2194.3, 52194.4, 2194.5, 2194.6, 2194.7, 2194.8

Title 11

11/01/04 ADOPT: 4001, 4002, 4003, 4004, 4005, 4006 AMEND: 984.1
 10/19/04 ADOPT: 2037, 2038 AMEND: 2010, 2037, 2050
 08/26/04 AMEND: 1005, 1007, 1008, 1018
 07/07/04 AMEND: 1005, 1007

Title 12

10/08/04 AMEND: 503(f)

Title 13

11/10/04 ADOPT: 2477
 10/28/04 ADOPT: 1230.5
 10/25/04 AMEND: 190.32, 190.34, 190.36, 190.38
 09/09/04 ADOPT: 15.07
 09/02/04 ADOPT: 155.05 AMEND: 155.00, 155.02, 155.04, 155.08, 155.10 REPEAL: 155.06
 07/21/04 ADOPT: 159.00
 07/20/04 ADOPT: 2020, 2021, 2021.1, 2021.2

07/19/04 AMEND: 1090
 07/16/04 AMEND: 712
 07/15/04 AMEND: 225.45, 225.51, 225.54
 07/07/04 AMEND: 156.00

Title 13, 17

07/15/04 ADOPT: 2284, 2285, 93114 AMEND: 1961, 2281, 2282, 2701

Title 14

11/22/04 AMEND: 670.5
 11/10/04 AMEND: 630
 11/08/04 ADOPT: 5.26 AMEND: 4.15, 5.25
 11/08/04 ADOPT: 3696.5
 11/04/04 AMEND: 502
 11/04/04 AMEND: 550, 551, 552
 11/03/04 AMEND: 163, 164
 11/02/04 AMEND: 2525
 10/28/04 AMEND: 912.9, 932.9, 952.9
 10/21/04 AMEND: 300, 600
 10/18/04 AMEND: 1682, 1682.1, 1683, 1683.1, 1683.6 REPEAL: 1681.2, 1681.3, 1681.2, 1681.3
 10/14/04 AMEND: 10610(e) Appendix M and Appendix N
 10/12/04 ADOPT: 1052.4 AMEND: 895.1, 1052, 1052.1
 10/07/04 AMEND: 851.1
 09/27/04 AMEND: 851.23
 09/22/04 AMEND: 1.74
 09/21/04 AMEND: 507.1
 09/09/04 AMEND: 27.60, 27.65, 27.82, 28.27
 09/07/04 ADOPT: 17913.5 AMEND: 17901, 17902, 17905, 17910, 17911, 17913, 17914, 17914.5
 09/07/04 ADOPT: 15333, Appendix L AMEND: 15023, 15062, 15064, 15065, 15075, 15082, 15085, 15087, 15088, 15088.5, 15094, 15097, 15126.4, 15205, 15206, 15252, 15313, 15325, 15330, 15333, 15378, Appendices C, D
 09/01/04 AMEND: 671
 08/23/04 AMEND: 7.50
 08/23/04 ADOPT: 18456.2.1, 18460.2.1 AMEND: 18449, 18450, 18451, 18456, 18459, 18459.2.1, 18459.3, 18461, 18462
 08/12/04 AMEND: 7.50(b)(180)
 08/10/04 AMEND: 18072
 07/30/04 AMEND: 3698, 3699
 07/22/04 AMEND: 7.50(b)(91.1)
 07/21/04 ADOPT: 18464 AMEND: 18453, 18453.2, 18456.4, 18457, 18459.1, 18460.1, 18460.1.1, 18460.2, 18461, 18465
 07/12/04 AMEND: 180.3
 07/07/04 AMEND: 251, 311, 353, 354, 360, 361, 362, 363, 364, 365, 604, 708

Title 15

11/05/04 ADOPT: 1059
 10/13/04 REPEAL: 4200, 4201, 4202, 4370, 4371, 4374, 4376, 7381, 7382, 7393, 4394, 4394, 4394.8, 4395, 4396, 4397, 4399, 4400
 09/13/04 AMEND: 200, 2400, 2403
 08/30/04 ADOPT: 2251.5 AMEND: 2005, 2057, 2072, 2073, 2074 REPEAL: 2050, 2051, 2052, 2054, 2055, 2056

Title 16

11/22/04 ADOPT: 4144
 11/08/04 ADOPT: 4200, 4202, 4204, 4206, 4208, 4210, 4212, 4216, 4218, 4220, 4222, 4224, 4226, 4230, 4232, 4234, 4236, 4240, 4242, 4244, 4246, 4248, 4250, 4252, 4254, 4256, 4258, 4260, 4262, 4264, 4266, 4268
 11/02/04 ADOPT: 1746
 10/26/04 ADOPT: 4180, 4181, 4182, 4183, 4184
 10/25/04 AMEND: 1379.26
 10/22/04 ADOPT: 1382.6 AMEND: 1382.5
 10/08/04 ADOPT: 1399.16
 10/08/04 AMEND: 1079.2
 10/05/04 ADOPT: 1399.434, 1399.435 AMEND: 1399.415, 1399.416, 1399.436
 10/04/04 ADOPT: 1355.31
 09/29/04 ADOPT: 1751.01, 1751.02 AMEND: 1751, 1751.2, 1751.3, 1751.4, 1751.5, 1751.6, 1751.7, 1751.9 REPEAL: 1751.8
 09/24/04 AMEND: 1397.61
 09/24/04 AMEND: 88
 09/23/04 AMEND: 1381
 09/22/04 AMEND: 1710, 1711, 1717.1, 1717.4, 1720, 1721, 1723.1, 1724, 1749, 1793, 1793.1, 1793.2, 1793.4, 1793.5, 1793.6, 1793.7
 09/08/04 AMEND: 1399.26
 09/07/04 ADOPT: 1082.3
 09/03/04 AMEND: 1793.3
 09/02/04 AMEND: 1709.1
 08/23/04 AMEND: 901.(d), 902.(c), 903.(b), 905.(a), 913.(f), 914.(d), 919.(g), and 941.(a)(2).
 08/11/04 AMEND: 1381.5
 07/22/04 ADOPT: 1829 AMEND: 1816.2, 1816.3, 1833.3, 1877 REPEAL: 1815
 07/20/04 ADOPT: 2065.8.1, 2065.8.2, 2065.8.3 AMEND: 2065, 2065.7, 2065.8
 07/19/04 AMEND: 12, 12.5, 87, 87.1, 90
 07/16/04 AMEND: 109, 116, 117, 121
 07/13/04 ADOPT: 1996.3 AMEND: 1953, 1970, 1983(j), 1996.1
 07/09/04 AMEND: 472.1, 473.1

Title 17

11/08/04 ADOPT: 93115
 10/28/04 AMEND: 50604, 50608, 54326, 54370, 56003, 56082, 57540, 58510, 58671
 08/27/04 AMEND: 50604, 50605, 54302, 54310, 54320, 54326, 54332, 54355, 58533
 08/12/04 AMEND: 94011
 07/22/04 ADOPT: 54351, 58800, 58801, 58810, 58811, 5812, 58820, 58821, 58822, 58830, 58831, 58832, 58833, 58834, 58840, 58841, 58842, 58850, 58851, 58860, 58861, 58862, 58863, 58864, 58870, 58871, 58872, 58873, 58874, 58875, 58876, 58877, 58878, 58879, 58880, 5888

Title 18

11/23/04 ADOPT: 19133
 11/18/04 AMEND: 462.500
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 11/12/04 AMEND: 1532
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 11/02/04 AMEND: 1574
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 10/25/04 AMEND: 2051-3
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 51000.20.9, 51000.31, 51000.51,
 51000.52, 51000.53, 51000.60 AMEND:
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 51000.6, 51000.7, 51000.16, 51000.30,
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 84072(c)(5)(B), 84072(c)(11)(A)1,
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